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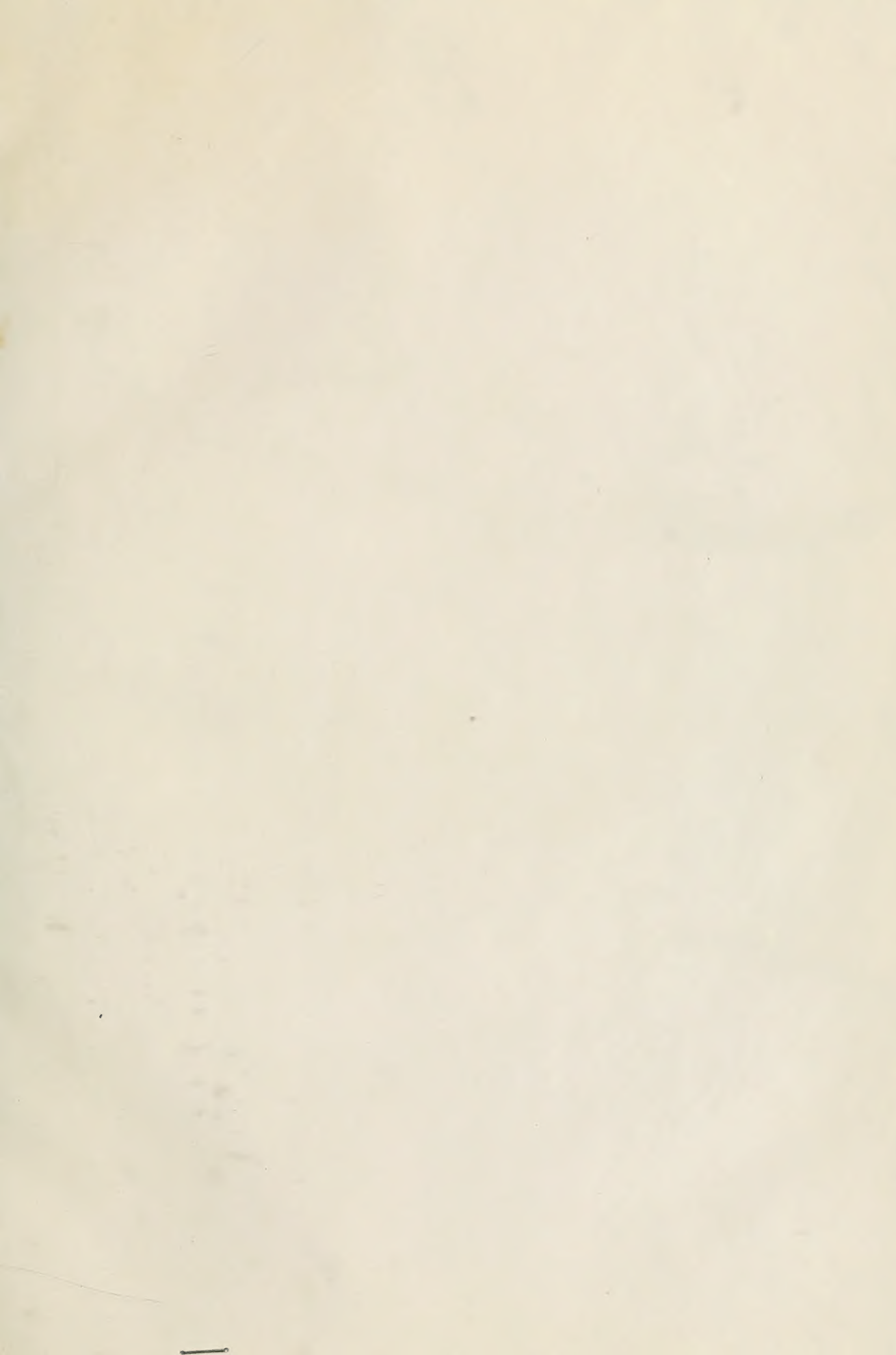
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1853—1854

THE ESCHEAT OF THE NAGPORE STATE, THE
ARRANGEMENTS FOR THE ADMINISTRATION
OF THE NEW PROVINCE AND THE
SETTLEMENT OF THE AFFAIRS OF
THE BHONSLA FAMILY.

INTRODUCTORY NOTE.

The Chief Secretary, the Hon'ble Mr. Slocock, C.I.E., I.C.S., decided to have certain old files, which are of historical interest, printed, in order that the publications may be accessible to the public and provide material for historical research. Unfortunately it was not possible to depute an officer to start the work of collecting, arranging and printing these old files till 1917, when Mr. G. P. Burton, I.C.S., who was placed on special duty, was able to complete several of the publications. The work was continued in 1919 for a short time by Mr. C. U. Wills, I.C.S. It is hoped that before long it will be possible to place an officer on special duty to complete the publication of all old files of historical interest.

Nagpur, dated the 1st March 1920.

INTRODUCTION

The first part of the book is devoted to a general survey of the history of the subject. It begins with a brief account of the early attempts to explain the origin of life, and then proceeds to a more detailed consideration of the various theories which have been advanced. The second part of the book is devoted to a discussion of the evidence in support of the various theories. It begins with a consideration of the evidence in support of the theory of spontaneous generation, and then proceeds to a consideration of the evidence in support of the theory of evolution. The third part of the book is devoted to a discussion of the various objections which have been advanced against the theory of evolution. It begins with a consideration of the objection that the fossil record does not support the theory, and then proceeds to a consideration of the objection that the theory is based on a false premise. The fourth part of the book is devoted to a discussion of the various applications of the theory of evolution. It begins with a consideration of the application of the theory to the study of the history of the human race, and then proceeds to a consideration of the application of the theory to the study of the history of the various races of man.

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* Extracted from the Parliamentary Blue book "Rajah of Berar."

† Extracted from G. J. Nicholl's "The Law" (special and local) of the Central Provinces; also Consultation No. 169 dated the 24th March 1854. Government of India Records (Foreign and Political Department).

‡ From collection in the Secretariat Record Room.

*Letter No. 27, dated the 11th December 1853, from C. G. MANSEL, Esq., Serial No. 1.
Resident at Nagpore, to J. P. GRANT, Esq., Officiating Secretary to the
Government of India, Foreign Department.*

I deeply regret to have to report for the information of the Most Noble the Governor-General in Council that His Highness the Maharaja of Nagpore expired after six o'clock this morning breathing his last breath in my presence.

His Highness had been ailing for this last month, but no danger was apprehended till about 4 A. M., when the symptoms became more and more alarming. A messenger was sent to the Residency at sunrise and I immediately went down; but His Highness was then past all mortal aid or counsel.

About twenty-five or six days since the Rajah was indisposed for five days from fever. He was becoming better, but with the imprudence of his character would assume to be well, so as to bathe, go about the Palace, visit the ladies of the *Seraglio*, and indulge in all the habits of perfect health. After eight days or so he had a relapse, fever, cold, and dyspnoea combining to affect him. He appears too to have suffered latterly from piles, but did not disclose it till ten days ago. All this time the Rajah put no restraint upon himself in respect to diet, eating rich dishes as usual, and drinking nearly his usual quantity of spirits, the food like pilao on the morning before his death and the spirits till within three days of his decease. He could not endure the pain of opening the bowels, and when they were moved, the motions were accompanied with dark clots of blood, and would not take opening medicine. Weakness was gradually growing upon him and a stoppage of urine had latterly taken place. He would not allow of any medical treatment or surgical operation of a palliative nature, though the whole native professional skill of the city was called on and consulted as well as Mr. Abercrombie, a retired Apothecary, who acted as a sort of English Secretary to the Rajah. The services of the Residency Surgeon were repeatedly placed at the Rajah's disposal but declined. No *post mortem* examination of the body was approved of.

I have read to the Superintending Surgeon of the Subsidiary Force, Mr. Maule, the statement above given and he gives it as his opinion that death was caused by severe inflammation and ulceration of the intestines.

The Rajah since the commencement of his illness was repeatedly solicited to allow me an interview and latterly with all the earnestness that delicacy allowed; but he declined or evaded the request in decisive and almost uncomplimentary terms. Most of the details now given were not known to the Ministers or the best informed persons about the Court. Hence though anxiety was growing up no fear was entertained, even on Friday or Saturday of loss of life.

No apprehension, indeed, of dissolution was entertained by the Rajah and the Courtiers till an hour or two before his death, nor was any expressed by his medical attendants. Neither before nor after his last agony did the Rajah express any wish about the disposition of the government of the country.

The funeral obsequies were performed at noon, no request to perform suttee being referred. The Brigadier commanding the Force has been requested

to fire minute guns equal to the years of age of His Highness (47) at Sitabuldi and Kamptee, and every other mark of consideration will be shown to the memory of the deceased.

The Rajah leaves four Ranees and no son, nor is there any prospect of a posthumous child.

Copy on page 1
I have therefore in obedience to the orders contained in Mr. Secretary Currie's letter of November 30th, 1844, letter No. 3083 of 1844*, made arrangements for conducting the government of the country pending the orders of the Most Noble the Governor-General in Council.

At present all is quiet: the Rajah's troops are well disposed and I apprehend no disturbance of the peace. The privy seals and the keys of the treasure and jewel rooms have been taken charge of by me.

I shall do myself the honour to report further on the state of the country to-morrow.

† Copy below
A detailed statement† of one of the Medical attendants of the Rajah accompanies the letter.

Examination of Fazil Khan, Medical attendant to the deceased Rajah Raghojee Bhonsla Seena Sahib, taken by order, CHARLES GRENVILLE MANSEL, Esq., Resident at Nagpore.

Question.—How long is it since the Rajah was taken ill, and what was the nature of the disease? *Answer.*—About 26 or 27 days ago he was taken ill with fever. Medicine was given to him for five days. He was then a little better, and wished to bathe. I objected saying, "You are not well enough to do so". He replied, "Banka Bacc has to go to Ramtek, and she cannot go until I bathe". On that account he bathed. After this for eight days he went about his palace as usual, ate and did whatever he liked, bathing every day, eating meat, pilao, drinking spirits, keeping company with the ladies of the harem, and not refraining from anything. He was again taken ill with cough and much fever. I attended, and gave him medicine for two days. After this, Abdool Hukeem gave him medicine for four days. He did not get any better, but became worse from piles, from the pain of which he was much indisposed. He now voided very little urine. About the middle of one night he called me and said, "Abdool Hukeem recommends the leaves of the radish, and gives me hopes that they will ease the piles". I replied, "I know nothing about them; do as you please". Radishes were procured and pounded very fine, and applied to the piles; this caused a greater burning sensation. The Rajah became impatient and took it off, washed the parts, and wetted cloths were applied. For the stoppage of his urine he gave the following mixture:—

Cucumber seeds ...	...	... 3 mashas.
Muskmelon seeds ...	...	... 3 ..
Endive seeds ...	...	... 3 ..
Sugarcandy ...	...	... 1 tola.
Jews-stone ...	...	... ..

This did no good. His breathing became hurried and labouring; his stomach had been swollen from the commencement of his sickness; his piles, etc., increased every day. I then began treating him again. Inayat Ally Khan, Maula Abdool Cawder, Hukeem Secunder, Abdool Hukeem, only felt his pulse. At that time Hukeem Secunder said, "It is now necessary to give powerful medicines". I replied "Whatever you wish I will bring, as it is all ready". He said, "Lubool Kuhur". I showed him some 15 years old. He gave two ratties weight of it to the Rajah, and this medicine was continued for four days. After these four days Syud Ahmed Hukeem also came to feel his pulse with the abovementioned hukeems. Then the Rajah said, "Consult and agree amongst yourselves, and give me some medicine". For two days we consulted, and prepared a medicine; it was ready on the 10th, and we gave him six mashas of it to drink that evening. During the night he became worse, and was so uneasy he could not sleep. With the exception of very, very little, he had not made water for three days. We now recommended a doctor to be called, as he could not make water, and said unless a catheter was used no good could be done. Abercrombie, doctor, was sent for; he came in the evening, and prescribed opium, mixed with water, to be heated and applied to the piles. The Rajah said, "This will cause a deal of trouble". It was then settled to use the skin of poppy seed pods, with gallnuts, boiled in water, and foment the parts and in the morning to use a catheter. Then the Rajah said, "I cannot

near to have that done". We gave no more medicine that night. At four o'clock his bowels were moved, and he passed black blood. From this time he appeared to be in the agonies of death from the great pain he was suffering from straining. After sunrise he died. For three days he had not drunk any liquor, but ate his stew (kuleya) and pilao as usual, with the exception of the night before his death.

Do you know what the medicine was that the physicians gave after the consultation, and what it was composed of?—Sherbet deenar was prepared, and four or five things mixed with it, but I do not know their names.

Abdool Hukeem attended for four days, and during that time the Rajah got worse; what medicines did he give?—Ikara kee khak, *viz.*, cheercheeta, was burnt, and the ashes given to relieve the cough.

Did Abdool Hukeem give any other medicine except the above-mentioned powder?—No.

What medicine did you give?—For the first five days I gave one majoon of sookrat, which did him good. After that for eight days I gave nothing. When he fell sick again, I gave nashdaroo looloo for two days. Then by the advice of Secunder and the other physicians, luboot kuteer was given.

Was this medicine to cure fever, cough, piles or any other disease in particular?—The effect of the medicine is written in the book. Whatever the Rajah ordered we gave to him. He said, "This will do me good", and we gave it him.

For what reason did he order that medicine?—Because the Rajah said he would get strength and recover from sickness.

During the last week what sort of stools did he pass?—Very little at a time. He had not taken any purgative medicine; his urine was voided in small quantities.

After his death, did you find out from what cause death occurred; whether from stoppage of the bowels, or of urine, or from any other reason?—From the stoppage of urine, and the same of his bowels, caused death.

When you found out he was unable to evacuate, why did you not use a clyster?—I proposed it, but he would not allow its use.

When you proposed to send for a doctor in consequence of the stoppage of urine and the bowels not acting, and the Rajah opposed the same, and you saw he was very ill, why did you not tell some of the relations or the vakeel?—It is not customary for me to give information to any one.

Why did you not forbid his eating pilaos, etc.?—I did recommend less ghee to be used, but the Rajah would not listen to it. About nine days ago less ghee was put into the pilao. He was very angry with the cook, and threw down the tray. What more could I do to prevent it?

What was the reason he could not pass his water?—In consequence of the severity of the piles. The inflammation was so very great about the parts, it caused stoppage of urine.

You mentioned the names of Maulnee Abdool Cawder, etc., etc., as attending on the Rajah ; what sort of physicians ; are they known in the city ?—They are the best and most eminent physicians in the city.

Did Mr. Abercrombie (the retired Apothecary) ever give the Rajah medicine, or was he only called on that day ?—No, never ; only that once, as I have mentioned.

How much liquor did the Rajah drink daily ?—I do not know.

Did you see the Rajah daily ?—Yes ; I saw him every day up till his death, and was always present at the palace.

(Signed in some Mahratta marks) Fazil Khan.

(True translation.)

(Signed) C. G. MANSEL,

Resident.

Minute by the Honourable the President of the Council of India, concurred in by the Members of Council.

Death of his
Highness the Maha-
rajah of Nagpore.

The Resident at the Court of Nagpore reports officially the death of his Highness the Maharajah, which took place on the morning of the 11th December.

His Highness leaves no heirs, nor is there any prospect of a posthumous child.

The Resident reports that all is quite at Nagpore, and that he apprehends no disturbance of the peace; he promises an immediate report on the state of the country.

I think all that need now be done is to caution the Resident to preserve tranquillity, and not to commit this Government in any manner whatever as to succession or otherwise, pending further instructions of the Governor-General in Council, which will be issued to him on the return of the Most Noble the Governor-General to Calcutta.

The Resident should be so addressed forthwith.

(Signed) J. A. DORIN.

20th December 1853.

I concur, as I believe that the Resident will soon address a report to Government respecting the position and the age of the nearest male relative of the late Rajah, or of any other claimant (if there be any other) to the throne of Nagpore.

(Signed) J. LOW.

21st December 1853.

I concur.

(Signed) FRED. JAS. HALLIDAY.

21st December 1853.

Government of India, Foreign Department, Notification No 5408, dated the 23rd December 1853.

The Honourable the President of the Council of India in Council having received official intelligence of the death, on the 11th instant, of his Highness Maha Rajah Raghojee Bhonsla of Nagpore, is pleased to direct that Minute guns, to the number of 47, corresponding with the age of the late Maha Rajah, be fired from the ramparts of Fort William.

By order of His Honour the President of the Council of India in Council.

(Signed.) J. W. DALRYMPLE,

Offg. Under Secretary to the Government of India

Letter No 5456, dated Fort William, the 27th December 1853, from J. W. DALRYMPLE, Esq., Officiating Under Secretary to the Government of India, Foreign Department, to C. G. MANSEL, Esq., Resident at Nagpore.

^{*Serial No. 1, on page 1, ante.} I am directed by the Hon'ble the President of the Council of India in Council to acknowledge the receipt of your letter No. 27* of the 11th instant, reporting the death of His Highness the Maharajah of Nagpore, on the morning of that day.

^{†Copy below.} 2. His Highness has left no son, nor, you state, is there any prospect of a posthumous child you have, therefore, followed the course directed to be taken, under such circumstances, in Mr. Secretary Currie's letter (No. 3083)† of the 30th November 1844, and have made arrangements for conducting the government of the country, pending the orders of this Government.

3. You report all to be quiet; that the Rajah's troops are well disposed, and that you apprehend no disturbance of the peace. You likewise promise a further report on the state of the country.

4. Under all these circumstances, His Honour in Council desires me to state, that, in the absence of the Most Noble the Governor-General, he does not think it necessary to do more than to desire that you will continue to take every measure necessary for the preservation of public order and tranquillity, and to caution you not to commit this Government to any course respecting the future government of the country.

5. On His Lordship's return to the Presidency you will be further instructed.

Letter No. 3083 of 1844, dated Fort William, the 30th November 1844, from F. CURRIE, Esq., Secretary to the Government of India, Foreign Department, to Lieut.-Col. A. SPEIRS, Resident at Nagpore.

I have the honour to acknowledge the receipt of your letter, dated the 3rd instant, No. 54, reporting the illness of the Rajah of Nagpore, and soliciting instructions for your guidance on the subject of the succession to the Nagpore State in the event of His Highness' demise.

2. In reply I am directed by the Governor-General in Council to state that, in the event of the death of the present Rajah without leaving children or an adopted son, you should make arrangements for conducting the government of Nagpore, pending the orders of the Government of India, which orders will be based on the circumstances that may present themselves at the time, and the right to make the adoption which might be considered to attach to any surviving member of the Rajah's family. There seems no more cause, the Governor-General in Council observes, for a prospective and speculative arrangement now than there was in the year 1837—when the orders of Government contained in Mr. Secretary Macnaughten's letter, dated 27th March, were communicated to your predecessor.

Letter No. 29, dated the 14th December 1853, from C. G. MANSEL, Esq., Resident at Nagpore, to J. P. GRANT, Esq., Officiating Secretary to the Government of India, Foreign Department.

* Serial No. 1
Page 1.

In continuation of my letter of the 11th instant,* I have the honour to report for the information of the Most Noble the Governor-General in Council that since the time of the Rajah's death the state of affairs has continued perfectly tranquil, and that the details of such business as the respect due in the eyes of Mahrattas, as well as all true Hindoos, to the twelve days of mourning permitted, have been conducted by a Council of three Chiefs, Purbut Rao Goojur a member of the Rajah's family, Junal-ood-deen, a Ressaldar of the Paldee troops, well affected to British interests by having been in the Auxiliary Horse under Mr. Jenkins, and Madho Rao, the Officiating Durbar Vakeel, under my own direction and regency.

† No. 26, dated the 7th December 1852, from the Resident at Nagpore, to C. Allen, Esquire, Officiating Secretary to the Government of India, and from Mr. W. S. Carr, Officiating Under Secretary to the Resident, Nagpore, No. 3617, dated the 16th August 1853.

2. I have been in personal communication with Brigadier Williams, commanding the Nagpore Subsidiary Force, but we have made no new disposition of any of the troops, except to station on the Seetabuldee Hill the Detachment of European Artillery, which was withdrawn some time since to permit of the men's exercise with the Kamptee Force, and pending the execution of the repairs of the Hill Works discussed in the correspondence noted in the † margin any new array of force was not needed by the state of perfect order and proper feeling existing and indeed, was only calculated to create alarm. But it was well to have the Batteries of the Hill Works well guarded and manned, and to place the Arsenal beneath them in the same security that the arrangements of late years were designed to give from the Hill Batteries so as to destroy the temptation to surprise.

3. Lieutenant-Colonel Cotton, in command of the 10th Madras Native Infantry, stationed at Seetabuldee, has been requested to be prepared for the possibility of action, and to have his regiment in readiness at any notice.

4. The General Chintamun Bhao, commanding the Rajah's troops at the Chief Cantonment of Paldee, was instructed by me on the morning of the 11th, to join his force, and to watch that no embarrassing feeling grew up among the men. Masajee, Major in command of the Sonegaon Brigade, was ordered off at the same time, and with the same instructions.

5. Two of the five Soobahs or Governors who carry on the district administration, and were in at Nagpore at the time of the Rajah's death, were directed to return to their charges, as their absence might cause the peasantry to commit irregularities from mere want of thought or warning.

6. On the whole, it appeared to me best not to issue any proclamation on the subject of the State being taken under my protectorate. It would for good have been a barren form, and for evil might have been used to excite prejudice by evil designing or ignorant men. There is scarcely a man among the influential

Courtiers or feudal chiefs whose interest or feeling I have not in some way been called upon to conciliate, and the existing machinery of administration working under this influence is quite adequate to prevent embezzlement or disturbance.

7. The troops are about seven months' pay in arrears and I have intimated my desire that they should be paid up as the incoming collections of the autumn harvest supply the means of doing so.

8. It would have been convenient to have stationed an officer at the Palace to communicate with the Dowager Ranee Banka Bae and the other Ranees, and indeed for other purposes, but Lieutenant Crichton could not be spared from Seetabuldee altogether from the Bazaar and Post Office duty; I have therefore arranged to visit myself the Palace daily for the present, as this was better than placing a new and inexperienced man from the Kamptee force in duties where some tact and knowledge was necessary.

9. On the 13th I paid a visit of condolence to the Dowager Ranee Banka Bae, widow of Raghojee Bhonsla, who fought against us in 1803, and to the Ranees of the deceased Prince. I was received with much kindness, and with the interest attaching to the associations of the occasion, for I was assured that the Banka Bae had never appeared with the Purdah, except to myself, shortly after the Rajah's decease, on the 11th instant, and to Sir R. (then Mr.) Jenkins, the Resident, on the dethronement of Appa Sahib in 1818. Our conversation did not of course touch upon anything but general topics, though, on the part of the Banka Bae, they led to occasional expressions of hope that the interests of the Bhonsla family would continue to be interwoven with the Berar Kingdom.

10. This morning Nana Ahey Rao, and other members of the family proceeded to the funeral pile, when the bones of the body were collected together and the ashes placed in bags, the bones to be conveyed to Allahabad a twelve month hence, or later; and the bags, twenty-one in number, to be transported to-day on horses to the Kalaysur Ghat, on the Godavery, a little below Chimoor. Kaleysur Ghat is a place of pilgrimage held in much esteem by the late Rajah and he himself visited it some years since. Hence Banka Bae fixed upon this place as the one where the ashes of the deceased should be committed to the waters.

11. The following words from part of a report that I was preparing upon the present state of this country, when the demise of the Rajah occurred, and they may be introduced here conveniently, as shortly exhibiting the character of the deceased, and his administration of late years.

12. The Rajah of Nagpore is now in his 47th year. He is good-natured, and pleasing in his manners. He is very considerate and kind in his conduct towards the Resident and the officers of the Residency and Subsidiary Force, and once was very popular with his subjects from his condescension. Even now

if a man of respectability has suffered any indignity from any of the Police guards or troops, he will send for the aggrieved party, sooth him with kind words and send him away with a present of cloths. He will pat a merchant upon the shoulder, and playfully talk of having, what in native phrase corresponds with the expression, practised a good peace of humbug on a banker in a business transaction. In his visits to the houses of respectable natives he shews much affability and indeed familiarity. As a Mahratta, he seems to feel that he has sprung from the people, and in forms he would by strangers have been thought rather the President of a Republic, than the arbitrary Monarch of a great State.

13. A distaste for business and low habits seem the distinguishing features of his temperament. Any strict attention to affairs of State paid by him has been enforced by the remonstrance of the Resident, while his natural inclination has again led him when unchecked, to absorb himself in the society of low followers, in the sports of wrestling, kite-flying, and cards, in singing and dancing, and in intercourse of his dancing girls. A saying of his to an officer who, about a year ago, was appointed to the office of Durbar Vakeelo, on the removal of the old incumbent, will not incorrectly illustrate his character. The audience of investiture was over and the new Vakeel was then dismissed with these words. "Now go away and study the provisions of the treaty, so as to see that they are enforced to protect me in the enjoyment of those pleasures of dancing and singing that I have loved from my boyhood."

14. A concubine, by name, Janee, is spoken of as having led the Rajah into confirmed habits of drinking about eight years since, so that now, when not ill, his drinking exceeds a bottle of brandy a day. Not a few disgraceful scenes have occurred at the Palace, while the Rajah has been overcome with spirits, and generally it may be said that indisposition has thus grown into incapacity to discharge business in the thoughtful and earnest form becoming a Sovereign for any continuance of time. I have urged this painful subject of intemperance upon the Rajah in every form that I could contrive without absolute rudeness to his face, but to no effect. If I have pressed it once upon him I have pressed it fifty times through every available medium. I consider this vice as alone disqualifying the Rajah from the respectable conduct of the government of the country. When travelling with me in the interior of the country, the Rajah has, I am aware, put a certain restraint upon his use of ardent spirits, and his health, with his capacity for settled and uncapricious attention to his affairs, has improved in consequence. But as soon as His Highness returns within the labyrinths of his Palace walls, he reverts to his old habits in their full force.

15. The addiction to the low pleasures of the Harem was always a marked characteristic of the Rajah and has become more baneful since the habit of drinking has so grown upon him. His time is now absorbed in the paltry conversation and the mean pursuits of the concubines, and he now with reluctance leaves the inner apartments. The Vakeel has frequently had to coerce the Rajah by very decided language into coming into Court and disposing of such business as required to be done in a public form. Mr. Davidson, the late Resident, in his despatch of 30th March 1850, states that the Rajah has not

attended to business for years, and in fact with the exception of the time when Major (then Captain) Ramsay took up so active a line of remonstrance in 1847-48-49. This may be said to apply to the whole term of years since Major Wilkinson terminated his charge at the end of 1845.

16. When thus the Rajah has been divesting himself of much of the best part of his character, he has been acquiring habits of avarice that have led him into a systematic indifference to the claims of the administration of justice and to the selection of merit in making official appointments. Of late years all the anxiety of the Rajah and of his favourite Ministers has been to feed the Privy Purse by an annual income of two or more lakhs of rupees from Nuzzurs, fines, bribes, confiscation of property of deceased estates, the composition of public defaulters or the sale of their effects, and such like sources. The Rajah has thus been led on by his avarice to discard all feeling and to throw himself into the hands of the most unprincipled of his servants, who plundered the country and put justice up to sale for profits, but a slender part of which reached the Rajah. He has done many cruel acts and even carried war into the country of his feudal dependants on the misrepresentation of those parties gilded by the offer of a Nuzzur. Orders of the most contradictory character have been issued at the bid of rival parties from time to time in cases before the law courts, the number of which is notorious. As soon as indifference and a blind submission to the advice of certain evil advisers became profitable, the Rajah just contented himself with signing and sealing the proceedings that awarded a decision to the best Pay Master. All this aggravated the low tone of mind originally belonging to the Rajah. He acts and thinks like a village chandler. Profits and pickings are to be made anyhow. The choicest amusement of the Rajah is an auction sale when some unfortunate widow is ruled not to be entitled to her husband's estate, or when some public defaulter is found to have made away with revenue collections just equal to the sum he paid 5 or 6 years before for his situation of Revenue Collector to the Rajah.

17. As respects the public character of the administration of the country under the Rajah our estimate of it will be influenced all importantly through the medium of view used by the observer or reporter. If the state of things in Nagpore is compared with the condition of Hyderabad or Oude, and if a traveller passing through the country stops but to look at the luxuriant cultivation in the cotton soil, the absence of crimes by open violence, the civil simple people or the bustle of the main street of the capital he will form a judgment favourable to the character of the Rajah and to the action if not the principles of his rule. If on the other hand the observer be a person who has studied the progress of the Jenkins' system (if I may use such a phrase) sympathizes with the improvement of society and dreams nought worth living for but security of person and property, regards Government as involving duties as well as yielding pleasures, he will trace out in the state of the country, a gradual deterioration in its finances and management of the land, since, 1830, a scheme concocted of late years to render the administration of justice as taxable as any commodity in the Bazar, a selection of functionaries made by no rule but caprice, the favour of the Seraglio, or purchase, and generally a hatred of a fixed constitution or settled principles such

as can limit an arbitrary Sovereign or an unscrupulous Minister in placing all the best interests of society at his feet.

18. The favourable features in the condition of the country are mainly those that existed since the State was entrusted to the Rajah in 1830, and the unfavourable ones are mainly those that the country has assumed under the Rajah's rule. That the partial pleasing aspect of things is not over-shadowed or destroyed is mainly owing to the occasional interference of the Resident who when affairs had become particularly gloomy, caused a better tone to be infused into every department and secured a new lease of decency to be succeeded by the old degradation under a new incumbent of the Residency. The machinery that has mainly kept society together under the latter part of the Rajah's reign has been the almost British discipline of the troops bequeathed by the transfer of 1830 to the Rajah. This has made him all powerful capable equally of setting an enemy and justice at defiance. The revenue system of fixed leases left behind by Mr. Jenkins has on the other hand preserved the finances of the State and the agricultural interest from being sacrificed wholly to reckless folly or temporary expedients to raise funds.

19. The character of the administration of Nagpore seems of late years to have been unfavourably influenced mainly by the following circumstances. The non-appointment of a responsible Vakeel on the removal of Ghoolam Ali by Mr. Wilkinson. The retention in office if not in confidence of the old officers convicted of corruption at the same season--the attempt of the Rajah to procure a reduction of his tribute by a reckless expenditure since 1844, especially in new Military Works and levies, the growth of the habit of intemperance in the Rajah for the last 18 years or so. The almost open sale of justice and official favours to the highest bidder systematized from the same period and above all by the oscillation in the system pursued by the Resident in respect to advice and control.

20. This oscillation of interference and of principles by which the people of a country are to be guided is a most serious evil. The chief who to-day is subject to the control of a strict Resident is amused by his flatterers with the prospect of a successor of a wholly different character. The advice of to-day is disarmed of half its force if it can be expected to be followed by a different course of policy on the morrow. And when the season of indifference and ease has produced its natural effects of misgovernment and debt, the reaction must needs be violent and doubly distasteful to an arbitrary Prince on the appointment of an officer impelled by necessity as well as duty to enforce a general reform.

21. It has frequently been a subject of astonishment to myself that so much difficulty should exist in forcing a Marhatta chief to follow out the views of the Resident as I have found at Nagpore with this Rajah. But after long thought upon the subject, I am convinced that the main cause of the difficulty lies in the system of filling up diplomatic appointments. It seems to be quite a chance if the system of the officer who precedes and of the officer who follows agrees. The Rajah and his Ministers speculate upon this difference of action or opinion. Honesty is lukewarm and roguery is fearless as there is no certainty or no permanence in the policy to be enforced. We require a more perfect machinery

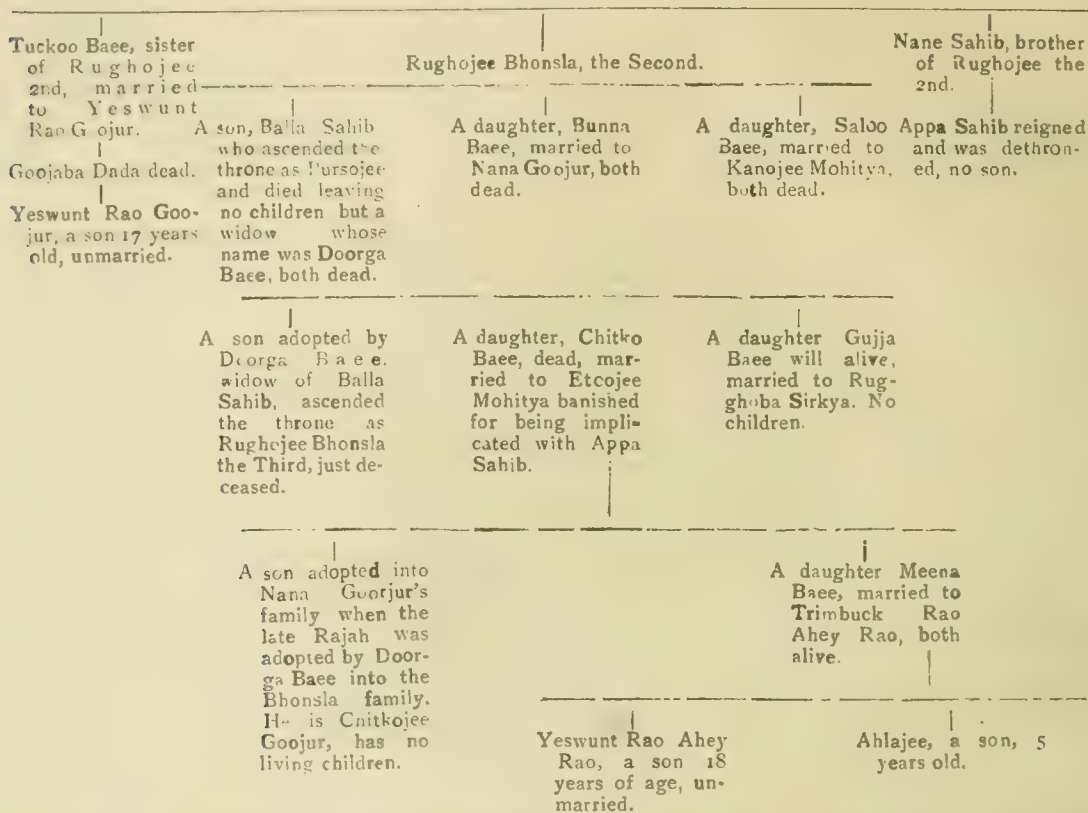
for diplomatic exigencies, and if it cannot be provided, the public then demands from us a duty we and our system are unequal to discharge. There can be no doubt that much of the difficulty experienced by Captain (now Major) Ramsay in 1848 arose from his possessing but subordinate and temporary powers and from the moment that the Rajah was informed that my health might lead to a change of incumbents, he evaded my requests for interviews and indulged in a sulky discontent that he took no pains to conceal. The coming man might let him do as he pleased. This was his own fancy, the suggestion of his meaner followers, and the inference to be drawn from the Residency annals of the last 15 years.

22. The return to matters bearing upon the future management of the country, I would observe in amplification of my report of the 11th instant, that the Rajah has left four Ranees, Anpoorna Bae, Duriya Bae, Anundee Bae, and Kumurdha Bae, but no son or legitimate daughter nor has His Highness thought of resorting to adoption to supply a successor to the throne, before or during his last illness, though every opportunity was afforded to and indeed pressed upon him by myself during the last two years to lay open his mind upon such a subject if he entertained the wish. The subject has always been one of much interest and anxiety to the Court people, especially since the close of the Sattara discussions. The silence of the Rajah was thus a deliberate act of his own, caused mainly by the deep dislike of His Highness, as it were, to confess to the world his misfortune of not having the prospect of a family and partly by the fear instilled of late into his mind by his bosom Counsellor, a low follower one Jugdeo Moree, the Darogah of the buildings Department, that an adopted son would be a convenient handle for the Resident to use in effecting his desposition, if he would neither attend himself to the good government of the country or permit his ministers to do so conscientiously and responsibly. Indeed it is generally understood that the Rajah has been in a state of impuissance for many years past, and unless he subjected himself to a thorough reform in his habits by taking a long tour to a place of pilgrimage in the Himalya or other hills away from his bevy of female favourites, living temperately and taking invigorating exercise (advice shadowed out by Doctor Macintire, the late Residency Surgeon, and earnestly communicated by me to those who were the best avenue to the royal ear) no continuance of life would have left an heir to the throne, and the Rajah's subjecting himself to such a discipline at a future time was I felt hopeless. I have been assured distinctly that there is no chance of a posthumous child, but I have intimated to the Durbar Vakeel that it would be best if the Banka Bae, the old Dowagar Rane, would as if were of herself guarantee the correctness of this report, as saving the chance of future embarrassment and fraud which would be no less vexatious to herself and all respectable persons at Court than to the British Representative. A further communication will be made by me on this subject.

23. There is no remaining legitimate male descendant through the male line of the first Rughojee Bhonsla who acquired the Nagpore Raj. Appa Sahib who for his treachery to the British Government was removed from the Gaddeh, was the last. He was the son of the late Nana Sahib, the younger brother of the

second Rughojee Bhonsla. The deceased Rajah is the third Rughojee Bhonsla by his daughter as will appear from the following genealogical table, which is a little amplified from Major Wilkinson's :—

Moodhojee.



24. The subject of allowing adoption has, it will be in the recollection of the Most Noble the Governor-General in Council, been pressed upon the attention of Government by the Hon'ble Mr. Cavendish, Major Wilkinson and Lieutenant-Colonel Speirs, but nothing was communicated in reply by the Government for the time being which could influence the present determination on the subject. Mr. Cavendish in his letter* recorded in very decided terms his opinion that no right to the adoption attached to the State. "At Gwalior, Hyderabad, Lucknow, etc.", he after referring to non-allowance of adoption observes, "such a procedure would be improper, for these countries were not given to the present or former rulers by the British Government and they cannot therefore lapse to it on the failure of heirs male. But the territories of Nagpore, Mysore and Sattarah were granted by the Honourable Company and no one but a descendant of the grantee ought to succeed or carry by the laws of the land advance any just claim to the succession." Major Wilkinson in his communication† to Government combats this position of Mr. Cavendish's and argues that there is no distinction between Nagpore and Hyderabad and that whatever rights of adoption belong to other independent Princes or their widows should be held to attach to the late Rughojee Bhonsla or his widow. Colonel Speirs in taking the order of

* Letter February 2th, 1837, to Government.

† Letter to Secretary to Government, June 30th, 1840.

Government on the subject of the chance of a demise of the throne without male heirs makes no independent expression* of his opinion. After the most careful consideration of the subject, I have failed to convince myself of the correctness of Major Wilkinson's reasoning; and placed as the late Rughojee Bhonsla was upon the throne after the treachery and dethronement of Appa Sahib, he appears to me to have possessed no right to transmit his kingdom but to the heirs male of his body lawfully begotten. I may not perhaps say that this was a feeling in his own mind, but the distinction between the position of the Raje in 1818 and as it existed at the commencement of the century, is seen and admitted by all the community of Nagpore whom personal interest permits to judge as unprejudiced persons. The general question of the right of adoption does not appear to me to be involved in the present case and it remains I conceive with the British Government to discuss the question of the policy of allowing adoption or of granting the kingdom to any eligible party on such terms as it deems fit unfettered by a deference to pleas of custom or right with which the case might be involved in other Mahratta States.

*Letter to the Secretary to Government, 3rd November 1844.

25. The considerations that suggest themselves in looking favourably at the policy of upholding such a state seem chiefly what is Home Public opinion on the subject. What popular feeling would attach among other Native States to our proceedings on this occasion, what advantage there is in maintaining an existing field for the employment of Natives of rank. The considerations that would lead to a contrary view are the financial exigency of the British Government in India which is called upon to afford Military protection to all India, while so large a portion of the country makes no, or but an inadequate, contribution to the charge, the difficulty of providing machinery for securing the good government of the country for any permanence, and the advantage of having as few irregular troops of Native States to occupy our attention as possible.

See more especially the evidence of the Earl of Ellenborough before the Commons Committee and of Sir G. Clerk before the Lords, 1852.

26. At present this State pays a subsidy of 8 lacs of Company's rupees under the treaty of 1829 and the Military force absorbs 12 more. With so large a subsidiary force at Kamptee the greater part of the Rajah's Military expenditure answers no real purpose, but display and employment. Should it be thought desirable to uphold the State a very large saving might be made gradually in this direction, and adverting to the surplus yielded in Mr. Jenkins' and Mr. Wilder's administration, I should say that the country could bear to pay a subsidy of 20 lacs of Company's rupees, which would leave a residue of 25 lacs for Military and Civil expenditure.

27. The increase of the subsidy would involve in it the reduction of the troops and the remainder might be officered by British Officers, so as to render the force but little a source of anxiety to the paramount power. It seems clear that to allow a large force to be kept up by a Native Chief and to take from him a subsidy to protect his frontier, if not to control himself, leads to a double expenditure.

28. The frame work of Mr. Jenkins' administration is still available for the government of the country and could be brought into play under a Resident with a staff of Assistants in a year or two. If a Revenue survey and a Civil

Engineering Department were organised to develop the resources of the uncleared country and the means of its land and water communications little more would be needed but what Mr. Jenkins' system supplied.

29. Undoubtedly the person most competent to rule the country under any such modified conditions, is the Banka Baee, the widow of the second Rughojee. Though 75 years of age she is still in the full possession of her intellects. Everything she has ever done or said before and since the accession of the late Rajah is very much in her favour. She is really a superior woman of good feelings and good sense. There is no one in the State from her position in Mr. Jenkins' time and from her personal character so capable of conducting the Government as herself.

30. If the Most Noble the Governor-General in Council should lean to upholding this State, I would recommend that the grant of it to the Banka Baee for her life on conditions somewhat of the character that I have sketched should be offered to her, the interference of the Resident being fixed in the enlarged terms of the treaty of 1825 and a power being reserved to the British Government in the Sunnud to cancel the grant in the event of the Baee being incapacitated from carrying out its provisions.

31. On the one hand such an arrangement would yield to the British Government considerable financial and political advantage and on the other it would preserve a Native State in feudal Chieftainship. The prejudices of the Native Aristocracy would be thereby conciliated and by no means an influential section of public opinion here and in Europe would, we would hope, be satisfied at our moderation in resumption. A new form would be given to Native power, new responsibilities laid down, and new penalties enforced.

32. Undoubtedly very much would depend upon the judicious bearing of the Resident, but if in the end it was found impracticable to carry on the Government by the advice of the Resident and the direction of the Ranee, we should have the satisfaction of knowing that we had spared no experiment for reconciling the interests of the people, the claims of the Bhonsla family, and the duties of Great Britain in her Indian Empire.

33. Should Government for any reason not approve of the selection of the Banka Baee and should require another nomination to the Musnud, I would recommend Yeswunt Rao Ahey Rao, the son of Nana Ahey Rao and grandson of the sister of the deceased Rajah. He is 18 years of age—reads Persian and writes Mahratti. He is amiable in disposition and sensible, not apparently possessing brilliant talents, but tractable. His constitution seems delicate, but he has not suffered from any serious illness for the last 3 years. He is unmarried and would decidedly be preferred by the mass of the courtiers to any other youth for the Musnud, whether given to him by adoption or grant from the Company. He has a young brother 5 years of age but an invalid.

34. Yeswunt Rao Goojur may be called another pretender to the throne. He is the son of Goojaba Dada and grandson of the sister of Rughojee Bhonsla the 2nd. He is a dissipated and violent youth and is a very unpromising character for the throne. Yeswunt Rao Ahey Rao is a far more favourable selection to his namesake the Goojur.

35. It will occur to the Most Noble the Governor-General that if the Banka Bae could be induced to undertake the cares of State for some years, Yeswunt Rao Ahey Rao might be trained up to the chance of succeeding her should he prove his qualifications thereto, and our policy at the time warrant such a grant of the throne to him.

36. Chitkojee Goojur has no living son. He is 35 years of age and seems himself to have no turn for business. As an instrument of policy he is inferior to Banka Bae.

On the death of Dowlat Rao Scindia had the British Government chosen to grant the Gwalior State to the Baiza Bae for life, it would, I conceive, have satisfied native expectations and have prepared the way to final incorporation of the State in British India, if public policy eventually required it. This state of things pretty nearly exists now at Nagpore, only the Banka Bae is the widow of Rughojee the 2nd, while the eldest widow of the deceased, Anpoorna Bae, is a mere creature of the Harem of no marked character.

37. I believe that I have now glanced generally at all the circumstances bearing upon the decision required from the Supreme Government as to the future disposal of this State. The Mahratta can scarcely be said to exist as a national authority at Nagpore and if the public voice were polled for unlimited adoption or annexation, it would be greatly in favor of escaping from the chance of a rule like that of the last chief in his latter years. I believe that an experiment like that which I have shadowed out would best satisfy the people, placing them effectually under the shield of British Protection and leaving them to partial self-Government. Doubtless very delicate machinery is needed to secure its success, but it seems to be felt here that what Mr. Jenkins once did could be done again with the united machinery of native knowledge and European energy. All connected with the late Government will sorrow to see the Berar State expire, while the rest of the fraternity are permitted to live on.

38. It would be convenient to myself to know whether amid these conflicting consideration, the Most Noble the Governor-General in Council were prepared to come to a decision at once, or whether any considerable delay would occur before final orders are issued to me as my communications with the late Durbar and my general conduct will be influenced accordingly. But the public peace will not, I am sure, be endangered by the question remaining in suspense. Nor will the ordinary working of business be importantly affected by affairs being left for a continuance as they are under the Resident's provisional management.

Letter No. 4, dated Fort William, the 4th January 1854, from the Governor-General of India in Council to the Honourable the Court of Directors of the East India Company.

* Letter from
Resident at Nagpore,
dated 11 December.
Minute by the
Honourable
J. A. Dorin, dated
20 December.

Notification, dated
23rd December.

Letter to Resident
at Nagpore, dated
7th December.

We have the honour to report to your Honourable Court the demise of the Mahrajah of Nagpore, which occurred on the 11th December last ; and to transmit a copy of the correspondence* with the Resident on the subject.

2. His Highness has left no son, nor is there any prospect of a posthumous child. The Resident had, therefore, followed the course directed to be taken under such circumstances in 1844, and had made arrangements for conducting the government of the country pending our orders.

3. Mr. Mansel reported all to be quiet ; that the Rajah's troops were well disposed ; and that he apprehended no disturbance of the peace.

4. Under all these circumstances, we have instructed the Resident that, in the absence of the Governor-General, we did not think it necessary to do more than to desire that he would continue to take every measure necessary for the preservation of public order and tranquility, and to caution him not to commit the British Government to any course respecting the future government of the country.

Minute by the Most Noble the Governor-General of India.

1. On the 11th December 1853 His Highness the Rajah of Nagpore died at that city, after a short illness, from which no danger was apprehended until a few hours before his death.

The Resident reports that the services of the Residency Surgeon were repeatedly offered to His Highness, but declined. His Highness was, in like manner, repeatedly requested to grant an interview to the Resident, but this also he refused.

Resident,
December 1853. 21

His Highness has left no son, nor is there any prospect of a posthumous child.

His Highness has at no time expressed any wish regarding the disposal of the government of his country after his decease.

There is no legal heir to the sovereignty now existing. No adoption was made or proposed by the Rajah, nor has any adoption been made or proposed by his widow.

Resident,
December 1853. 24
paragraph 23.

The Resident, in obedience to the orders of the Government, dated 30th November 1844, has made arrangements for conducting the administration of the country, pending the determination of the Supreme Government regarding the future disposal of the State of Nagpore.

2. The necessity for a speedy determination of this question was manifest. At the same time, the necessity for a careful examination and consideration of so important a matter was equally manifest.

The despatches of the Resident, with many of the documents relating to the subject, were transmitted to me in Pegu. The records of the Government have been further examined since my return; and after mature deliberation I desire now to record the opinion I have formed regarding the ultimate disposal of the territories of Nagpore.

3. It will be convenient, at the outset, to give a brief summary of the history of this Raj.

4. The present territory of Nagpore forms a small portion of the powerful State which, under the dominion of the house of Bhooslah, as Rajahs of Berar, was one of the chief members of the Marhatta Confederacy.

Rughojee Bhooslah first raised the family to sovereign rank about the year 1743, and at his death, in 1755, his dominions, acquired partly by conquest and partly by usurpation from the Gond Rajah of Deogurh, extended from the Nerbudda to the Godavery, and then the Adjuntah Hills to the Bay of Bengal.

Mr. Jenkins' Report.

Mr. Jenkins' report.

The second Rughojee, during all the earlier part of his reign, maintained relations of amity with the British Government; but after the fall of Tippoo Sultan and the partition of his dominions, the jealousy felt by the Marhatta powers

of the increasing ascendancy of the British induced Rughojee to take part with Scindiah against them. He shared the defeat of Scindiah at Assye; and having subsequently lost the greater part of his army at Argaum, he signed the treaty of Deogaum, which deprived him of Berar and Cuttack, and of other portions of his dominions.

Mr. Jenkins' Report.

Upon the death of Rughojee in 1816, he was succeeded by his son Pursojee, who was replaced in the following year by Appa Sahib.

Mr. Jenkins' Report.

Shortly after his accession, indications of unfriendly feelings towards the British Government were betrayed by the Rajah, Appa Sahib. His secret negotiations with the Peishwa Bajee Rao, with Scindiah, and with the Pindarees, were detected and his treachery was soon afterwards openly displayed by his attack upon the Resident and the British Troops which led to the famous action at Seetabuldee on the 26th and 27th November 1817.

Mr. Jenkins' Report.

After the lapse of some days, terms were granted to Appa Sahib, under which he surrendered himself to the Resident. Notwithstanding this surrender, the Rajah's troops fought another action at Nagpore on 16th December, and defended the city till the 30th December, when it was given up. Thereafter a provisional engagement was formed by the Resident with Appa Sahib, whereby he was to be retained upon the musnud on condition of giving up certain territories, together with other concessions. This provisional engagement was confirmed by the Governor-General.

Mr. Jenkins' Report.

Appa Sahib, however, had no sooner been restored to power than he recommenced his intrigues against the British Government. His renewed treachery was so apparent, that he was arrested by the Resident on the 15th March 1818. On his way towards Allahabad he effected his escape from his guard, and, after an unsuccessful attempt during that year to regain his hold of Nagpore, he fled to Hindostan in February 1819. Appa Sahib died at Joudpoor in 1840.

Governor-General to Resident, 18 December 1817. Paragraph 3. Paragraph 6.

5. Immediately after hearing of the attack upon the British troops at Seetabuldee, the Governor-General informed the Resident at Nagpore that he had resolved upon the "establishment of the grandson of the late Rajah, Rughojee Bhooslah, by his daughter, Bala Sahib, in the dignity of Rajah." The Governor-General added, "The territory conquered from Appa Sahib by the British arms will be conferred upon the new Rajah, after such deductions as the British Government may think proper to make."

Governor-General to Resident, 18 June 1818. Paragraph 6.

The resolution of the Governor-General was not at that time carried into effect, by reason of the provisional engagement which had, in the meantime, been made by the Resident for the restoration of Appa Sahib to the musnud, and which the Governor-General had at once confirmed. But, upon the renewal of the breachery of Appa Sahib in March following, the Governor-General directed that he should be dethroned and that the resolution taken in December 1817 should be carried into effect. Accordingly, on the 18th June 1818, the Resident was thus addressed: "You are apprised that the Governor-General contemplated elevating to the musnud of Nagpore the infant son of Nana Goojur

by a daughter of the late Rajah Raghojee Bhooslah, and you will have been prepared to give effect to that resolution. Should you not already have done so, under the general sanction deducible from the former instructions, you will be pleased to proclaim the young prince Rajah of Nagpore, and to invite Baka Bacc to exercise the office of guardian of the young Rajah and regent of the State." No treaty was made at that time; but in 1826 a treaty was concluded, whereby his territories were guaranteed to the Rajah, his heirs and his successors."

The Rajah was placed on the musnud on the 25th June. The Baka Bacc was appointed regent; but the administration was carried on for many years on behalf of the British Government by the Resident, Mr. Jenkins, greatly to the benefit of the Rajah, and with infinite advantage to the people of Nagpore.

Ultimately the administration of the territory was entirely made over to the Rajah; and he has continued to retain it till the day on which he died, in the past month, without a son, without any heir whatever, and without any adopted child.

6. This brief narrative embraces every material fact in the history of the Bhooslah family, which in any way bears upon its relations with the British Government. The narrative shows that the sovereignty of the Bhooslah family in Nagpore is of comparatively recent origin; that it was founded upon usurpation and conquest; that during both the Marhatta wars it was hostile to the British Government; that in consequence of the treachery and hostility of Appa Sahib the State was declared to be ours by conquest in 1818; that a portion of the territory was conferred by the British Government upon the late Rajah in that year, and was confirmed to him, his heirs, and successors, by treaty in 1826; and lastly, that the Rajah on whom the State of Nagpore was thus conferred, has now died, and has left no heir either of his body, or by family custom, or by Hindoo law or Marhatta tradition.

7. Having duly weighed the facts which appear throughout these transactions, I desire to record the decided opinion I have formed, that by the death of the Rajah of Nagpore without any heir whatever, the possession of his territories has reverted to the British Government which gave them; and further, that the possession thus regained should not again be given away, since their alienation a second time is called for by no obligation of justice or equity, and is forbidden by every consideration of sound policy.

8. These propositions I shall proceed to establish in the paragraphs that follow.

9. (1) The gratuitous alienation of the State of Nagpore in favour of a Marhatta youth is called for by no obligation of justice or equity.

There can be no possible obligation of justice upon the British Government, which conferred the sovereignty of Nagpore on the late Rajah and his heirs, to recognise a right to succession in another person now, unless there be some one in existence who is truly heir to the Rajah just deceased, whether as heir of his body, or by the custom of his family, or by the Hindoo law which prevailed in his territory, or by the Marhatta interpretation of that law.

A closer examination will clearly establish that there exists no person whatever who is heir to the late Rajah by any of the rules or customs which can be put forward as applicable to the case.

10. In the report submitted to the Government of India by the Resident, Mr. Jenkins, in 1826, the rules of succession to the Nagpore State are specifically laid down, with all the authority which was given to him by long residence in the State, by intimate acquaintance with its rules and customs, and by participation in the direction of its highest concerns.

Mr. Jenkins says : " It may be useful here to give a sketch of the general principles which are acknowledged to regulate the succession to the guddee, or musnud, in the Bhoosla family. The fundamental maxim upon which it depends is, that it is hereditary in the entire male line, from the common ancestor, or first founder of the dynasty, to the exclusion of females or their issue : but that the right may be limited or changed by the reigning prince adopting a successor according to the rules of the Hindoo law " " Another maxim generally acknowledged is, that on the death of a Rajah leaving no male heir, it is the privilege of his principal widow to adopt a child from the relations of her husband, to succeed him, and herself to govern in his name."

11. The only person, therefore, who could have a right by the customs of the Bhooslah family to succeed now to the musnud, would be either—

- (1) A son of the late Maharajah Rughojee Bhooslah the Third.
- (2) An heir " in the male line from the common ancestor, or first founder of the dynasty."
- (3) A son adopted by Maharajah Rughojee Bhooslah the Third, while reigning.
- (4) A son adopted by the principal widow of Maharajah Rughojee Bhooslah.

I shall show that there is no such person.

Resident, 11 December 1853, No. 27.

12. (1) There is no son of the late Maharajah Rughojee Bhooslah the Third. The Resident states, in the letter which announces the Rajah's death, " The Rajah leaves four ranees and no son, nor is there any prospect of a posthumous child."

Resident, 14 December 1853, No. 29, paragraph 22.

In his subsequent despatch the Resident states, that it is generally understood that for many years past there has been no probability of the Rajah ever having a son.

See also Resident, 8 February 1837, No. 3, paragraph 1.

13. (2) There is no heir " in the male line from the common ancestor or first founder of the dynasty."

Mr. Jenkins states that " the reigning family, or those who can by possibility succeed by inheritance to the musnud, have always been confined to the descendants of the first Rughojee." Of these " descendants of the first Rughojee," there is not one left of the male line. In fact, there is not now existing in Nagpore a single man of the name of Bhooslah.

Major Wilkinson, Resident at Nagpore, writes thus in 1840: The only remaining legitimate male descendant through the male line of the first Rughojee Bhooslah, who acquired the Nagpore Raj, is Appa Sahib, the *ex-Rajah*. Resident, 30 June 1840

Appa Sahib died in 1840, and the Resident in his recent despatch has reported, that "there is no remaining legitimate male descendant through the male line of the first Rughojee Bhooslah, who acquired the Nagpore Raj Appa Sahib, who for his treachery to the British Government was removed from the *guddee*, was the last." Resident, 14 December 1853 para 20

There are descendants of Rughojee by the female line, but the statement in Mr. Jenkins' report has already been quoted, to the effect that the principle of succession to the musnud in the Bhooslah family, involved the "exclusion of females or their issue." See paragraph 10.

14. (3) There is no son adopted by Maharajah Rughojee Bhooslah the Third.

In his despatch of 14th December 1853, the Resident, after stating that the Rajah had left no son, adds, "nor has His Highness thought of resorting to adoption to supply a successor to the throne, before or during his last illness, though every opportunity was afforded to and indeed pressed upon, him by myself during the last two years to lay open his mind on such a subject, if he entertained the wish. The subject has always been one of much interest and anxiety to the court people, especially since the close of the Sattara discussions. The silence of the Rajah was thus a deliberate act of his own." Paragraph 22.

The Resident then proceeds to set forth what he believes to have been the cause of his avoiding any adoption. It is unnecessary, however, to quote the remainder of the passage in this place. The extracts which I have given above from the Resident's despatch, conclusively, establish that the late Rajah, Rughojee Bhooslah the Third, has adopted no son, and that he has not failed to adopt from want of forethought, or from sudden death, but of his own "deliberate act," and notwithstanding that every opportunity of declaring his wishes on that important subject has not only been afforded to him, but has been "pressed upon" him by the Resident during the last two years. See paragraph 16.

15. (4) There has been no son adopted by the principal widow of Maharajah Rughojee Bhooslah the Third since his decease.

The majority of the schools have held that, according to Hindoo law, no widow can adopt without having received the consent of her husband to do so.

The Marhatta school holds this doctrine with some modification. Accordingly Mr. Jenkins, in the passage already quoted, has stated it as a maxim, not universally but "generally acknowledged," that "on the death of a Rajah leaving no male heir, it is the privilege of his principal widow to adopt a child from the relations of her husband to succeed him, and herself to govern in his name." See paragraph 10

It is unnecessary to enter into any discussion whether this Marhatta dogma, not being universally acknowledged, shall be recognised or not on the present occasion. There is no ground for any such discussion. The widow has made no attempt nor any proposal to adopt.

Resident, 14 Dec-
ember 1853, para-
graph 9.

The Resident reports that he daily visits the palace: that all the burial ceremonies have been observed; that he has "paid a visit of condolence to the dowager Ranee, Baka Baee, widow of Rughojee Bhooslah, who fought against us in 1803, and to the Ranees of the deceased prince." The Resident reports that he was received "with much kindness." The Resident adds, "our conversation did not of course touch upon anything but general topics, though on the part of the Baka Baee they led to occasional expressions of hope that the interests of the Bhooslah family would continue to be interwoven with the Berar kingdom." But no proposal to adopt has been made by the widow of the Rajah just deceased.

16. It may be objected on this head, that if no application to adopt has been made by the widow, there must have been some indication of the probable opposition of the British Government to deter her from that act, or she would never have abstained from exercising the privilege which Marhatta practice has given to her.

See paragraph 14

A conclusive disproof of the assumption that opposition to adoption has been shown by the British representative at Nagpore, is found at once in the statement of the Resident himself, already cited, namely, that during the last two years every opportunity for declaring his wishes regarding adoption has not only been afforded to the Rajah, but has been pressed upon him by the representative of the British Government at his court. But, in truth, the absence of any proposal on the part of the principal widow of the deceased Rajah to adopt a successor to him is easily to be accounted for by family considerations, and by the known condition of public feeling at Nagpore, without attributing it to any indication of the probable opposition of the British Government, which it has been shown was by no means displayed.

Resident, 11 Dec-
ember, 1853.

Family considerations would deter the principal widow from adoption. The feelings of her husband, just dead, were known to be strongly adverse to adoption. "Neither before nor after his last agony," says the Resident, "did the Rajah express any wish about the disposition of the government of the country."

Resident, 14 Dec-
ember, 1853, para-
graph 23.

This reluctance to provide an heir to the Raj did not proceed from the weakness or the apathy of a man in his mortal sickness. The Resident has recorded in a passage which has already been referred to several times, that he has repeatedly pressed the subject on the Rajah during the last two years that His Highness has deliberately evaded the subject; and that during his last illness the reiterated applications of the Resident for an interview were declined by the Rajah in decisive terms.

Resident, 11 Dec-
ember, 1853.

Resident, 14 Dec-
ember, 1853,
paragraph 22

While the Resident states this fact, he gives what he believes to be the grounds of the Rajah's refusal to enter upon the subject of adoption. In the belief of the Resident it was "caused mainly by the deep dislike of His Highness,

as it were, to confess to the world his misfortune of not having the prospect of a family, and partly by the fear instilled of late into his mind by his bosom counsellor, a low follower, one Jugdeo Moree, the darogah of the buildings department, that an adopted son would be a convenient handle for the Resident to use in effecting his deposition if he would neither attend himself to the good government of the country, nor permit his ministers to do so conscientiously and responsibly."

This dislike of the late Rajah to the adoption of a successor was of course, known to his widow; and, although the custom of the Marhattas exempts her from that necessity for having the concurrence of her husband in adoption, which general Hindoo law imperatively requires in order to render the act of adoption valid, still the known disinclination of the Rajah to all adoption could not fail to disincline his widow also to have recourse to adoption after his decease.

The natural disinclination must have been strengthened by the peculiar position and interests of the leading members of the Rajah's family.

The Baka Baee, an aged lady, of reputation and long standing authority, is much referred to in these despatches. She was regent of the State during the long minority of the late Rajah; she has retained great influence ever since, and she has been put forward by the Resident now as the person who might be entrusted with sovereign authority.

The Baka Baee doubtless would be well pleased, notwithstanding her great age, to enjoy this dignity and power; but an adoption of a successor to the late Rajah must be fatal to all such hopes on the Baka Baee's part, if the principle of family succession among the Bhooslahs be not wholly violated; for it is laid down that the adoption "on the death of a Rajah" must be made by his principal widow, who is "herself to govern in his name."

If, therefore, a successor to the late Rajah were to be adopted, the Baka Baee could not be again made regent, as she was made regent by the British Government on the establishment of the new Raj when Appa Sahib was deposed in 1818. In this case the Rajah has died. If there were to be any adoption at all on this occasion, it must be the act of his principal widow, who would become at the same time regent for her adopted son, to the complete exclusion of the Baka Baee, whose position would thus become far worse than it has ever yet been, for it would be secondary in rank and power and consideration to that of a junior ranee in the palace of the Bhooslah family. These family considerations connected with her late husband and with the late regent, the Baka Baee, which would operate to deter the widow from proposing to adopt, would be still further strengthened by the feelings and interests of the other Ranees. These would not be in favour of that elevation of the principal ranee, which would follow upon her exercise of the privilege of adoption. This was clearly pointed out by Mr. Cavendish, the Resident at Nagpore, in a despatch addressed to the Government of India in 1837. At that time, deprecating the sanction of any adoption on the death of the Rajah, and advocating the policy of allowing the Raj to be a lapse and of liberally providing for the Ranees, the Resident thus writes: "To them this would be the most satisfactory of all arrangements; for though the senior wife or widow would prefer permission to adopt and to rule as regent

Resident,
February
paragraph 4.

8
1837.

during her son's minority, yet Baka Bae and other princesses would prefer independence under the considerate rule of the British Government to the uncontrolled and arbitrary will of any regent and her son.

Resident,
December
paragraph 24

14
1853,

Again, the omission on the part of the widow of the late Rajah to adopt a successor to him, which it has been shown that various family considerations were likely to bring about, has no doubt proceeded, in some measure, also from the Ranee's knowledge of public feeling on the subject at Nagpore. This is very distinctly set forth by the Resident in his last despatch. After stating his own opinion, adverse to the right of adoption, the Resident proceeds thus:—"The distinction between the position of the Raj in 1818 and as it existed at the commencement of the century, is seen and admitted by all the community of Nagpore, whom personal interest permits to judge as unprejudiced persons."

When the weight of the various family considerations and family interests which must of necessity have tended to influence the conduct of the Rajah's widow, and the additional weight of public opinion inclining in the same scale, are duly taken into account, it will not be thought difficult to comprehend the policy of the Rajah's widow in abstaining from any proposal to adopt a successor to the musnud of Nagpore.

17. The facts that have been stated in the preceding paragraphs, I venture to think, have incontrovertibly established that there exists no heir of the body of the late Rajah; no heir in the male line from the common ancestor; no person whatever of the name of Bhooslah; no son adopted by the late Rajah, nor any son adopted by his widow. Consequently there exists no person whatever who, either by virtue of treaty, or by the custom of the Bhooslah family, or according to the Hindoo law, or according to the Marhatta interpretation of that law, can rightly claim to be the heir and successor of Maharajah Rughojee Bhooslah the Third just deceased.

See paragraph 9.

Wherefore, as there is no legal or rightful heir to the late Rajah, "the gratuitous alienation of the State of Nagpore, for the second time, in favour of a Marhatta youth, is called for by no obligation or justice or policy."

18. Having thus established the first proposition, upon which mainly depends the conclusion I have formed regarding the destination of the State of Nagpore, I am desirous of meeting an objection which may possibly be started at this stage of the discussion.

It may possibly be objected, that although there is no legal or rightful heir to the deceased Rajah, according to the letter of the law, or of family custom strictly interpreted, and although there would, consequently, be no violation of justice or equity if the sovereignty of Nagpore should no longer be continued in any Marhatta ruler, still the British Government in 1818 did recognise the principle that the succession to Nagpur passed by adoption, though made out of rule; and, that, therefore, it would be inconsistent, or even evasive, if the Government of the present day, taking its stand on strict rule, should not encourage an adoption for the sake of succession now, even though none has yet been made by the widow of the late Maharajah Rughojee Bhooslah.

19. It is of great importance in the present discussion to test the force of this objection. For if it could be shown that the Government in 1818, when there was no rightful heir to the musnud in Nagpur, did recognise that the succession passed by adoption, and accordingly conferred the sovereignty upon the late Rughojee because he was adopted as a Bhooslah, though out of rule, there would be some plausible ground for contending that the Government of to-day, when there is again no rightful heir to the musnud of Nagpore, ought to permit the succession again to pass by adoption, though the Government is not bound to do so according to rule. I, therefore, think it necessary to refer fully to the records of the Government in 1818; for a reference to them will show that the objection stated above is founded wholly upon error. The Government of India in 1818 did not recognise that the Nagpore succession had passed by adoption, and did place the late Rughojee on the musnud because he had been adopted into the Bhooslah family. The disposal of the state of Nagpore at that time was determined by views of general policy, into which adoption did not enter. Though Rughojee was adopted as a Bhooslah, he was so adopted long subsequently to his elevation to the musnud, which passed by free gift of the Government, and not as the consequence of his adoption.

Adoption was never referred to or recognised by the Governor-General throughout the whole transaction which placed Rughojee on the gудdee in 1818; nor has any recognition of it ever been made in the case of Nagpore by the Government of India, though successive Residents have mooted the question, some advising, some deprecating it.

20. The action at Seetabuldee was fought on the 26th and 27th November 1817. So soon as the Governor-General heard of it, and even before official information reached him, he had at once declared that Appa Sahib had forfeited the State of Nagpore, and he resolved to dispose of it as was best for the policy of the British Government.

Lord Hastings, on the 19th December, writes thus: "The Governor-General has received authentic though unofficial information of the late transactions at Nagpore. Governor-General
19 December 1817. "The Governor-General has accordingly determined to remove him (Appa Sahib) from the Government, and to expel him from the country, or secure his person, and detain him under restraint, more or less severe, in some distant quarter of the Honourable Company's possessions. Of course, the treaty of alliance existing before the rupture is to be regarded as entirely dissolved.

"3. The settlement to be effected in the place of the government of Appa Sahib should, in His Lordship's judgment, be the establishment of the grandson of the late Rajah Rughojee Bhooslah, by his daughter Bala Sahib, in the dignity of Rajah, and the appointment by the British Government of a regency, composed of one or more members of Rughojee's family, assisted by ministers of approved experience, character and attachment to the principles of the late alliance."

"4. This arrangement, besides its other advantages, is recommended by the consideration of its having been the desire of a considerable party, comprehending the family of Rughojee Bhooslah, to set up the grandson of that

prince in preference to Appa Sahib at the time of the demise of Rajah Pursojee, and the consequent belief that it will be acceptable.

This despatch lays down the original policy of Government of India towards the State of Nagpore, which was adhered to in the subsequent letters of the Governor-General, and was ultimately carried into effect. It shows that the Governor-General regarded the Nagpore State as forfeited by the acts of Appa Sahib, and the treaty of alliance as at an end. The Governor-General thereupon resolved to set up a boy, whom he selected to be Rajah, with a regency, which he also selected. No reference whatever was made to adoption. The Governor-General selected this boy, not because adoption gave him a claim for he was not adopted till long afterwards, but because policy recommended him as one who had a party in the State and in the family and who was therefore likely to be acceptable. In one word, the Government regarded the State of Nagpore as absolutely at its disposal. It bestowed the sovereignty upon the person whom it thought best; and it conferred the gift upon him under the influence of no consideration whatever but its own free will and pleasure.

We are not left to deduce this view of the policy of 1818 from casual expressions of the Governor-General. He distinctly declares, in the despatch from which I have already quoted, that Nagpore was ours, to dispose of at our pleasure. Thus he says:—

Paragraph 6.

"To indemnify the British Government for the charge of the forces required for the protection of the country and Government of Nagpore, territorial cessions of sufficient extent ought to be demanded from the Government of Nagpore; or, to speak more correctly, the territory conquered from Appa Sahib by the British arms will be conferred on the new Rajah, after such deductions as the British Government may think proper to make."

Governor-General,
19 December 1817,
paragraph 15.

And so fully was the Governor-General resolved to assert the declaration he had made, that Nagpore was ours by conquest that he appointed Mr. Jenkins, who had previously been Resident there, to be "Commissioner for carrying into effect the above arrangements, including the settlement of the new government."

And it was not till after the full establishment of the new Government that Mr. Jenkins was directed to resume the "character of Resident at the court of the Rajah of Nagpore."

In all this no allusion whatever is made to adoption.

Governor-General,
29 December 1817,
paragraph 2.

The instructions contained in the despatch of the Governor-General of the 19th December were repeated in despatches of the 25th, 28th and 29th December, written as intelligence arrived of successive events at Nagpore. In the last of these the Governor-General emphatically expresses his hope that the Resident will have declared to Appa Sahib that "the disposal of his person, and of the State of Nagpore, must depend entirely on the pleasure of the Governor-General."

21. The original instructions of the Governor-General were not carried into effect at that time, by reason of the provisional engagement which the Resident had intermediately made with Appa Sahib, and which the Governor-General confirmed.

But after the renewed treachery and seizure of Appa Sahib in March 1818, the Governor-General reverted to his original policy, and carried it into effect. On the 18th June the Resident was thus addressed:—"You are apprised that the Governor-General contemplated elevating to the musnud of Nagpore, the infant son of Nana Goojur by a daughter of the late Rajah Rughojee Bhonslah, and you will have been prepared to give effect to that resolution. Should you not already have done so under the general sanction deducible from the former instructions, you will be pleased to proclaim the young prince Rajah of Nagpore, and to invite Baka Bae to exercise the office of guardian of the young Rajah and regent of the State."

Governor-General,
18 June 1818, para-
graph 9.

The original policy of the Governor-General was thus carried into execution. But there was not in the execution of it, any more than in the first enunciation of it, any reference whatever made to adoption.

22. On the 25th June the young prince was formally installed on the musnud. The resident reports in his despatch on this occasion, that "Bajee Rao, the grandson of the late Raghojee Bhonslah, was placed on the musnud with the usual observances, and the attendance of all the principal persons of the court, who seemed highly satisfied, and loudly extolled the generosity of the British Government in thus preserving the name and dignity of the Bhooslah family after the injuries it had received from the late unworthy head of it."

Resident, 26 June
1818, No. 35.

The prince thus formally installed upon the throne had not been adopted into the Bhonslah family, nor had any mention as yet been made of adoption. On the contrary, the Resident, at the close of the despatch from which I have quoted his report of the installation of the Rajah, wrote thus:—"One ceremony yet remains which is the adoption of the young Rajah into the Bhonslah family, which will, I believe, be deferred until Goojaba's arrival. This is required to enable him to assume the name of Bhooslah, and to entitle him to the hereditary succession according to the practice of Hindoo States."

Resident, 26 June
1818.

In the despatch which acknowledged the Resident's report of 26th June, the satisfaction of the Governor-General in Council at the installation of the Rajah was expressed, and the return of Goojaba was sanctioned, but no notice whatever is taken of the Resident's allusion to adoption.

Governor-General
in Council, 31 June
1818, No. 17.

The orders for Goojaba's return from Allahabad were not issued till the 31st July. There does not even exist any report from the Resident of the adoption having taken place.

23. The transactions which occurred between November 1817 and June 1818 were reported in great detail by the Governor-General in Council, in his despatch to the Secret Committee, dated 21st August 1820.

Papers respecting
Pindarry and
Marhatta wars
page 416.

He describes and explains his policy in terms identified with the language of the despatches which have been quoted, and his narrative of events closes with these words:—"The letter of the Governor-General in Council to the Court of Directors, dated the 15th January last, will have informed your Honourable Committee of the circumstances of the retirement to Allahabad of Goojaba Dada, and of his subsequent return to Nagpore at the solicitation of the Baka Bae and all the other members of the family. The ceremony of the adoption of the

Governor-General
in Council, 29
August 1820, para-
graphs 29—124.

Governor-General
in Council, 21
August 1820, para-
graph 107.

young Rajah into the family of the Bhooslah, to enable him to assume the name of Bhooslah and to entitle him to the hereditary succession according to the practice of Hindoo States, was deferred until Goojaba Dada's arrival at Nagpore."

This passage, in a despatch written more than two years after the events at Nagpore, contains the first and only mention of adoption expressed by the Government of India throughout the whole of this correspondence; and the terms in which mention is then at last made of the event, in themselves establish the fact that the boy was made Rajah of Nagpore by the British Government long previous to any adoption of him into the Bhooslah family. His adoption, in short, was the consequence of his elevation to the musnud, not the cause of it.

24. The same assertion of the just right of the Government of India to regard the acts of Appa Sahib as having placed the State of Nagpur at its absolute disposal, was put forward in all official documents, not less than in the despatches of the Governor-General to the Resident.

In a letter, dated 6th January 1818, the Resident writes:—"I have the honour to transmit to Your Excellency the draft of a treaty which I was prepared to require Appa Sahib to sign preparatory to allowing him to return to his palace, when I received Mr. Adam's letter" (*i. e.*, Governor-General's), 19th December 1817.

The preamble of the draft treaty enclosed thus describes the position of the State of Nagpore at that juncture:—"Whereas an attack was made by Rajah Moodhojee Bhooslah (Appa Sahib) on the troops of his ally, thereby dissolving the said treaty, annulling the relations of peace and amity between the two States, placing the State of Nagpore at the mercy of the British Government and the Maharajah's musnud at its disposal."

This view of the absolute right of the British Government to dispose of the State of Nagpore at its will, entertained by the Resident before he had received the Governor-General's letter of 19th December 1817, was not hastily conceived or expressed. It was embodied in the draft of a treaty intended to be concluded between the States. And although that treaty was not concluded then, the same assertion of the right of the British Government over the State of Nagpore was repeated in the preamble of the treaty of 1826, and was again recorded in unqualified terms by the Resident, in the report which he submitted on the State of Nagpore in the same year.

"The whole country," he said, "was ours by right of conquest" The new Rajah was placed on the throne solely by the favour of the British Government.

25. Having thus shown that adoption was never referred to or recognised by the Government throughout the whole transactions which placed Rughojee on the guddee in 1818, I proceed to show further, that no recognition of adoption has ever subsequently been made in the case of Nagpore by the Government, though successive Residents have mooted the question, some advising, some deprecating it.

Resident, 6 January 1818, No. 31.
Paragraph 6.

Letter, 27 Jan.
1818, p. 307.

See paragraph 23.

26. In the year 1837 Mr. Cavendish, then Resident at Nagpore, asked for the instructions of the Government of India, as to what course he was to pursue in the event of the Rajah dying without a male heir.

Mr. Cavendish gave it as his opinion, that "adoption should not be allowed, for the British Government conquered this country, and gave it to his Highness and his sons, and on his death without an heir apparent or posthumous child, it should escheat or lapse to our Government."

Resident, 8 February 1837, No. 3, paragraph 2.

Mr. Cavendish gave his reasons for advocating this course at great length.

In reply, the Government did not repudiate the doctrine set forth by Mr. Cavendish. The letter merely stated, "It seems to his Lordship in Council to be quite premature to enter into any consideration of the subject adverted to in your letter of 8th ultimo. The Rajah of Nagpore is a young man, and it is too soon to speculate on his dying without issue."

Governor-General in Council, 27 March 1837, paragraph 4.

Three years afterwards Major Wilkinson, then Resident at Nagpore, again requested to be instructed "What course should be adopted for the future government of this country".

Resident, 30 June 1840.

Major Wilkinson differed from his predecessor, Mr. Cavendish, regarding adoption. He considered that the Rajah had been placed in exactly the same position as had been occupied by Appa Sahib, and that he or his widow would have a right to adopt.

This view was certainly not accepted by the Government of India, for no reply was ever made to the Resident's letter.

See Resident, 3 November 1844, paragraph 4.

Four years subsequently the Government was again addressed regarding adoption by Colonel Speirs, then Resident at Nagpore. Colonel Speirs gave no definite opinion, but suggested that our advice "should be made as little intrusive as possible, and should be guided by the general opinion of the family and the public."

Resident, 3 November 1844, paragraph 5.

In reply to Colonel Speirs' request for orders on the subject, the Governor-General in Council replies: "In the event of the death of the present Rajah, without leaving children or an adopted son, you should make arrangements for conducting the Government of Nagpore, pending the orders of the Government of India, which orders will be based on the circumstances that may present themselves at the time, and the right to make the adoption which might be considered to attach to any surviving member of the Rajah's family."

Governor-General in Council, 30 November 1844, paragraph 2.

Thus, no recognition of the right of adoption was made, but the question was left entirely open. It has so remained until the present time, when the death of the Rajah without heirs compels the Government to decide upon the future destination of the State of Nagpore.

27. The argument which I have recorded at great but unavoidable length has, in my judgment, proved conclusively that a "gratuitous alienation of the State of Nagpore in favour of a Marhatta youth is called for by no obligation of justice or equity," because there "exists no person whatever

See paragraph 17.

who, either by virtue or treaty, or by the custom of Bhonsla family or according to Hindu Law or according to Marhatta interpretation of that law, can rightly claim to be heir and successor of Maharajah Rughojee Bhooslah the Third just deceased"; and that, moreover, further alienation, by means of adoption, is not required in consistency or by the precedent of 1818. because the Government of India in 1818 most assuredly did not place the late Rughojee on the musnud by reason of his having been adopted into the Bhooslah family, and because the Government of India has never recognised, either in 1818 or since that time, any declaration that the succession to the late Rajah should pass by adoption, according to Marhatta custom.

See paragraph 10.

The case of Nagpore stands wholly without precedent.

Court of Directors, No. 4, 24 January 1849, paragraph 8.

The Honourable Court of Directors, at the close of the discussion regarding the Raj of Sattara, addressed very clear and specific instructions to the Government of India for its future guidance in cases which involved the principle of adoption. The Honourable Court laid down, that "by the general law and custom of India, a dependent principality like that of Sattara, cannot pass to an adopted heir without the consent of the paramount power; that we are under no pledge, direct or constructive, to give such consent; and that the general interests committed to our charge are best consulted by withholding it."

Paragraph 9.

In obedience to and in accordance with the letter and the spirit of these instructions, I should have felt it my duty to advise that an adoption at Nagpore (if it had been made) should be disallowed, "all claims of collaterals being excluded by the fact that none of them are descended from the person in whose favour the principality was created."

But I wish to direct special attention to the fact that to this case of Nagpore stands upon far stronger grounds than any case which would fall within the scope of the Honourable Court's instructions.

28. We have not now to decide any question which turns upon the right of a paramount power to refuse confirmation to an adoption by an inferior. We have before us no question of an inchoate, or incomplete, or irregular adoption. The question of the right of Hindoo princes to adopt is not raised at all by recent events at Nagpore, for the Rajah has died, and has deliberately abstained from adopting an heir. His widow has adopted no successor. The State of Nagpore, conferred by the British Government, in 1818, on the Rajah and his heirs has reverted to the British Government on the death of the Rajah without any heir.

The simple question for determination is whether the sovereignty of Nagpore, which was bestowed as a gift upon a Goojur by the British Government in 1818, shall now be conferred upon somebody else, as a gift a second time.

Justice, and custom, and precedent leave the Government wholly unfettered to decide as it thinks best. Policy alone must decide the question.

29. Accordingly, I shall proceed to establish the second proposition with which I set out, and shall show that—

(II) The continued maintenance of the State of Nagpore under a Marhatta sovereign is forbidden by every consideration of sound policy.

Sound policy suggests that the territory of Nagpore should now pass under the British Government, whether regard be had (1) to the interests of the people of Nagpore, (2) to the essential interests of England, or (3) to the general interests of India.

30. (1) I place the interests of the people of Nagpore foremost among the considerations which induce me to advise that that State should now pass under British Government; for I conscientiously declare, that unless I believed that the prosperity and happiness of its inhabitants would be promoted by their being placed permanently under British rule, no other advantages which could arise out of the measure would move me to propose it.

It is not in the least degree necessary for us to rest upon any general assertions as to the superiority of British over native rule in the abstract, in order to prove that the inhabitants of Nagpore would enjoy greater prosperity and happiness under the former than under the latter system. In the case of Nagpore we have the results of long experience to guide us to a right conclusion. During the last half century, the people of Nagpore have lived both under Marhatta and British rule, through several alternations; and the results of either system of Government stand before us, upon the record of witnesses whose testimony is unimpeachable.

Some of these shall be quoted in this place.

The ordinary characteristics of Marhatta rule are matter of history; that they were no better in the first instance, under the Bhooslah family in Nagpore than in other Marhatta States, will be seen by the following short extract from Mr. Jenkins' report which describes the condition of the people during the 25 years previous to the date at which British officers took the management: "From this period (1792) the inhabitants began to date the period of misrule and oppressive assessment, though it was not carried at first to the ruinous excess of exaction which marked the conduct of Rughojee after the Marhatta war of 1802. Increased assessment in the regular form was from that time but a small part of the evils to which the inhabitants were subjected."

"The reign of Rughojee's successor showed no better aspect"

"The short reign of Appa Sahib was only distinguished by a greater degree of oppression and plunder from the country. In consequence of these great and irregular exactions, and the ruinous war, and subsequent convulsions excited by Appa Sahib, much land had fallen out of cultivation, and the patels and ryots were universally involved in debt and embarrassments, from which they have not yet recovered."

After the dethronement of Appa Sahib, the country was managed for more than ten years by British officers. Let the following description of the admirable results of Mr. Jenkins' management and system be contrasted with the picture given above of the previous period of Marhatta rule.

Lieutenant-Colonel Sutherland, whose long experience and intimate acquaintance with Native States make his testimony of peculiar value, thus writes of the management of Nagpore under Mr. Jenkins, and his officers; "During the minority, the Nagpore territory remained under the management of the Resident, Mr. Jenkins, who, placing British officers in charge of small and compact districts, administered all its affairs, revenue, judicial and police. This best of all systems of Indian administration could not have fallen into better hands. The amount of revenue was defined; cheap and abundant justice offered to the people, both by European and Native instruments, and responsibility was thrown on the people themselves for the regulation of the police. Under almost any instruments, a country through such a system of management, must prosper; under the general superintendence of Mr. Jenkins, assisted by such officers as Captains Gordon, Hamilton, Wilkinson and Cameron, Nagpore, in the ten years during which this administration lasted, became comparatively a garden; those who knew that country and the nature of its government when this system commenced, and who saw it when it terminated, can alone judge of the benefits produced in so short a time.

In 1837 the Resident at Nagpore when reporting on the gradually deteriorating condition of the country, thus alluded to the period of British management.

"The good effects and happy results of Mr. Jenkins' system will long be felt in this territory; his name (Dunkeen Sahib) is mentioned by all the people with affection, and will be handed down to posterity as that of a great benefactor. All the middle and lower orders most heartily wish for the British rule, and contrast the present with the past state of things."

Paragraph 25.

Again, Mr. Cavendish says, the Rajah's "subjects look back on times past, and under the immediate charge of British officers, with pleasure and satisfaction. In no country is the British name more popular among the agriculturists, bankers and lower orders, for they daily contrast the past and present revenue and judicial systems." Again: "The people grievously complain of the innumerable and vexatious duties, and little or no trade exists or passes through this territory.

Paragraph 28.

8 February 1837,
paragraph 6.

In a subsequent letter, Mr. Cavendish states: "The people of this country including all agriculturists, bankers and shopkeepers, etc., would prefer the British rule to that of any native government, and would hail with joy the return of their former masters, for they are dissatisfied with the present management, and contrast it with the past."

Paragraph 8.

After stating his belief that even the nobles would not be averse to British rule Mr. Cavendish proceeds: "The troops would prefer the British rule, provided they were continued in the service, for during Mr. Jenkins' administration they monthly received their pay, and had daily access to and friendly communications with their officers.

His opinion, that even the Ranees would prefer the British rule to an adoption has been quoted elsewhere.

Still stronger testimony to the merits of British rule at Nagpore is borne by the Resident, Major Wilkinson, who, in the very same letter in which he advises permission being given to adopt, is compelled by a sense of truth to add, that the people of Nagpore would much prefer the British rule to any adoption. He

Resident, 30
June 1840,
paragraph 4.

says: "I should have been glad if I could have coincided in opinion with Mr. Cavendish, for the course he recommends would be most beneficial and gratifying to the mass of the population of this State, who desire nothing so much as to be placed under the British Government; and it is not a mere idle wish for change, for they have experienced the blessing of the rule of British officers. The only people who would regret the change are a few favourites about court and their followers."

Nothing can be stronger than this testimony to the value of British administration, and to the decided preference of the people of Nagpore for it, coming as the testimony does, from a strong advocate for the continuance of native rule in Nagpore by means of adoption.

The following extracts from a report which the present Resident has transmitted, and which, he states, he "was preparing on the present state of this country when the demise of the Rajah occurred," will again show the picture of its condition under British Government becoming gradually reversed, the longer the State has been continued under Marhatta rule in the hands of the late Rajah. At the same time, it will show the appreciation of our former rule by the people, and their sentiments towards it. He says, an observer who knew the former system under Mr. Jenkins "will trace out in the state of the country a gradual deterioration in its finances and management of the land since 1830; a scheme concocted of late years to render the administration of justice as taxable as any commodity in the bazar; a selection of functionaries made by no rule but caprice, the favour of the seraglio, or purchase; and generally a hatred of a fixed constitution or settled principles, such as can limit an arbitrary sovereign or an unscrupulous minister in placing all the best interests of society at his feet.

Resident, 14
December 1853,
paragraph 11

Resident, 14
December 1853,
paragraphs 17 & 18.

"18. The favourable features in the condition of the country are mainly those that existed when the State was entrusted to the Rajah in 1830; and the unfavourable ones are mainly those that the country has assumed under the Rajah's rule."

The sentiments of the mass of the population (apart from those connected with the late Government and the Court) on a choice between adoption and annexation are thus stated by the present Resident in his despatch written after the death of the late Maharajah. "The Marhatta can scarcely be said to exist as a national authority at Nagpore; and if the public voice were polled for unlimited adoption or annexation, it would be greatly in favour of escaping from the chance of a rule like that of the last chief in his latter years."

Resident, 14
December 1853,
paragraph 37.

Upon this body of testimony, supplied through a space of five and twenty years by a series of officers of the highest reputation and character, I confidently found my conclusion, that the interest and happiness of the people of Nagpore forbid the British Government now to exercise its power in bestowing afresh the sovereignty of Nagpore upon any Marhatta ruler.

31. On three several occasions, and in different parts of India, at Mysore, at Sattara, at Nagpore, the British Government during the last half century has tried the experiment of setting up a native sovereign over territories it had gained in war. Each experiment has signally failed.

We set up a Rajah at Mysore ; and we have long since been obliged to assume direct management of the country, and to take out of the Rajah's hands the power which he was found unfit to wield.

We set up a Rajah at Sattara ; and 20 years afterwards we were obliged to dethrone and to exile him.

We set up a Rajah at Nagpore. We afforded him every advantage a native prince could command. His boyhood was trained under our own auspices ; an able and respected princess was his guardian and the regent of his State. For ten years, while he was yet a youth, we governed his country for him. We handed it over to him with an excellent system of administration in full and practised operation, with a disciplined and well-paid army, with a full treasury and a contented people. Yet after little more than 20 years, this prince, descending to the tomb, has left behind him a character whose record is disgraceful to him alike as a sovereign and as a man. So favoured and so aided, he has, nevertheless, lived and died a seller of justice, a miser, a drunkard, and a debauchee.

What guarantee can the British Government now find for itself, or offer to the people of Nagpore, that another successor will not imitate and emulate this bad example ? And if that should be the case, what justification could the Government of India hereafter plead for having neglected to exercise the power which it possessed to avert for ever from the people of Nagpore so probable and so grievous an evil ?

32. Moreover, (2) the essential interest of England requires that the territory of Nagpore should pass under the British Government.

For the possession of Nagpore will materially aid in supplying a want upon the secure supply of which much of the manufacturing prosperity of England depends. Many items go to make up the sum of that prosperity ; but there is perhaps no one item in it all upon which more depends than upon a steady and full supply of the staple article of cotton wool. The importance of this question is ever pressing itself upon all who are connected with the administration either of England or of India. My own official course during the last ten years has made me specially sensible of its importance. Before I left England it was urged upon me personally by the Chamber of Commerce at Manchester ; and during my administration here the Prime Minister has himself addressed me specially upon the increasing interest with which year by year it is watched in England. I need hardly say, then, that my attention has never ceased to be directed to the means of obtaining those cheap and abundant fields of supply, and that ready access to them which alone can relieve England from almost total dependence upon a foreign power for the supply of an absolutely indispensable material of her trade. The measures of the Government of India to this end have not, I think, been altogether unsuccessful, more especially during the course of the past year.

It is well known that the great field of supply of the best and cheapest cotton grown in India lies in the valley of Berar and in the districts adjacent to it.

In the evidence given before the Select Committee of the House of Commons on the growth of cotton in India, Captain P. A. Reynolds, in reply

to the question "As far as your observations have extended over India, do you regard the valley of Berar as that portion of India that we should look to for furnishing us with the largest supply of cotton?" stated as follows: "I should say so. The whole tract of country between the Godavery and the Satpoora Range is composed of the black cotton soil, from Toka to the junction of the Wurda and the Godavery, and to the eastward of that in the territory of the Rajah of Nagpore."

. Elsewhere Captain Reynolds further stated: "I consider that that tract of country which I have been alluding to would afford cotton sufficient to supply the whole of England."

Mr. Chapman bore similar testimony to the value of these districts. He stated that the cotton which would be brought to the coast "is chiefly grown, not in the British territory, but in those of the Nizam and of the Rajah of Nagpore; to those territories must we principally, but not exclusively, look for additional supplies." Mr. Chapman further states, that "cotton is grown more cheaply in Berar than in other parts of India." He then gives a list of the cotton-growing districts, including Berar and Nagpore, and proceeds thus: "The greater part of the country above described is not under British rule. The disadvantages besides the enormous cost of carriage under which it labours, are the transit duties and the land assessment. The first of these, if fixed, and honestly collected, would not be serious in amount. . . . Their amount, however, depends on the comparative powers of the merchants and the farmers of the duties making a bargain. When cotton was very high in Berar, in 1836, the transit duty was nearly a half-penny per lb., and doubtless an increased demand would lead to attempts at similar exactions except the British Government should interpose its influence. The land tax often absorbs the entire crop, leaving the cultivator to the adoption of other expedients for the subsistence of himself and family, and amongst the rest to that of pilfering from his own fields before the harvest. It is from these districts, now so ill-governed and over-taxed, that we receive the most cheaply grown and nearly the best cotton we derive from India."

Similar statements regarding Berar are made in the Report of the Committee appointed at Bombay, in 1846, to inquire into the state of the cotton trade.

Report, App. V.
Report in letter
from Chief Secretary
at Bombay,
31 May 1847.

Full information is given in the same report and its appendix regarding the cotton growing districts of Nagpore. With reference to the quality of the cotton grown therein, Major Wilkinson states, that "the Hurgan Ghaut or Nagpore cotton sells at a higher price at Mirzapore than cotton brought there from any other part of India, except Hirdeenugger, which is near Saugor, in the Saugor and Jubbulpore agency."

Report, App. V.

Lastly, it is stated in the "Statistical Papers relating to India," laid before Parliament during the last session, that "if by means of railroads the great cotton field of Berar, situate within the dominions of the Nizam were placed nearly on an equality in point of facility of transport with the maritime cotton districts, then a breadth of land sufficient for the growth of a quantity equal to the full demand of Great Britain might at once be made available."

Authorities to the same effect might easily be multiplied ; but those which I have now quoted will suffice to show that the best and cheapest cotton-growing districts in India are in Berar, Nagpore and the adjacent provinces ; that they are capable of supplying the whole demand of England, but that they are inaccessible for want of railroads ; that they belong to foreign powers, and that they are consequently loaded with imposts which are arbitrarily increased, and that from all these reasons combined they do not and cannot supply the cotton required.

These obstacles the Government of India has been labouring to remove, and, as I have already said, not without success.

During the past year the Government has obtained by treaty with the Nizam, not the sovereignty indeed, but the perpetual possession and administration of this "Valley of Berar." The East India Company will derive no profit from these districts, for the surplus revenue is to be paid to the Nizam, but it has secured the possession of them for the growth of cotton, and it has also secured authority by which it will be able to free the cultivation of it from the local burdens of over-assessment and transit dues, which Mr. Chapman has shown to be the chief obstacle to the production of cotton in native states.

Furthermore, the Honourable Court of Directors, during the past year, has given its sanction to the recommendations submitted by the Government of India, for the construction of a line or lines of railway for the purpose of opening up the central districts of India, and of conveying their produce to the sea-coast. Examinations and surveys of the country are already in active progress, and there is every encouragement to hope for success.

But a way for still further progress towards our object has now opened to us. The course of human events, by the death of the Rajah of Nagpore, has just now placed in the hands of the British Government a fresh and unexpected opportunity of still further enlarging, from territories of its own, the secure supply of cotton wool which the necessities of England so loudly call for. The districts of Nagpore contiguous to Berar, whose cotton produce the preceding extracts have shown to be abundant in quantity and superior in quality, are once again fully and fairly at the disposal of the British Government.

I hold that in these circumstances it is the imperative duty of the Government of India not to revive the Raj of Nagpore under a Marhatta sovereign, inasmuch as it would thereby perpetuate the obstacles which native rule has been proved to place in the way of a vitally important object, which the essential interest of England requires us, if possible, to secure.

33. (3) The general interests of India recommend the policy of transferring the State of Nagpore to British rule.

This is no new view of general policy upon my part. Five years ago I recorded these words :—

" 25. I take this fitting occasion of recording my strong and deliberate opinion that in the exercise of a wise and sound policy, the British Government is bound not to put aside or to neglect such rightful opportunities of acquiring territory or revenue as may from time to time present themselves, whether they arise from the lapse of subordinate states by the failure of all heirs of every

description whatever, or from the failure of heirs natural, where the succession can be sustained only by the sanction of the Government being given to the ceremony of adoption according to Hindoo law."

"26. The Government is bound, in duty as well as in policy, to act on every such occasion with the purest integrity and in the most scrupulous observance of good faith. Where even a shadow of doubt can be shown, the claim should at once be abandoned."

"27. But where the right to territory by lapse is clear, the Government is bound to take that which is justly and legally its due, and to extend to that territory the benefits of our sovereignty, present and prospective."

"28. In like manner, while I would not seek to lay down any inflexible rule with respect to adoption, I hold that, on all occasions where heirs natural shall fail, the territory should be made to lapse, and adoption should not be permitted excepting in those cases in which some strong political reason may render it expedient to depart from the general rule."

"29. . . . I cannot conceive it possible for any one to dispute the policy of taking advantage of every just opportunity which presents itself for consolidating the territories that already belong to us, by taking possession of states which may lapse in the midst of them; for thus getting rid of these petty intervening principalities, which may be made a means of annoyance, but which can never, I venture to think, be a source of strength, for adding to the resources of the public treasury, and for extending the uniform application of our system of Government to those whose best interests, we sincerely believe, will be promoted thereby."

I have perceived that, in the course of public criticism, a far wider interpretation has been given to these words of mine than they were intended, or can be rightly made, to bear. I by no means intended to state, nor did I state, an opinion, that the settled policy of the British Government should be to disallow every succession resting upon adoption, made by a native prince, according to the forms of Hindoo law. The opinion which I gave was restricted wholly to "subordinate states," to those dependent principalities which, either as the virtual creation of the British Government or from their former position, stood in such relation to that Government as gave to it the recognised right of a paramount power in all questions of the adoption of an heir to the sovereignty of the State. In the case of every such State, I held that sound policy at this day required that the British Government should take advantage of any lapse that might occur, whether it arose from failure of all heirs whatsoever, or from failure of heirs natural, so that succession could only pass by permission being given for the adoption of an heir. But even in the case of such lapse, I declare that no advantage should be taken of it unless it could be done in accordance with the "most scrupulous observance of good faith."

I repeat, therefore, that in the Minute quoted above, I gave no sweeping opinion adverse to the right of a native prince to adopt a successor, according to the authority of Hindoo law. The opinion which I gave referred exclusively to "subordinate states," to a "dependent principality like that of Sattara," and others that have been named.

Minute, 30 August
1848, paragraph
25.

Paragraph 25.

Court of Directors
No. 4, 1849, 14
January.

Larger experience in the administration of India has confirmed my belief of the soundness of the policy I formerly maintained; and the political and geographical position of Nagpur gives, in my judgment, especial encouragement to follow that policy on the present occasion.

The political importance of the State of Nagpore is no longer great; its incorporation, however, with the British Empire would extinguish a Government having separate feelings and interests, and would absorb a separate military power, out of which there must always be a possibility that embarrassment, if not anxiety, might some day arise.

The incorporation of Nagpore would give to us a territory which comprises 80,000 square miles, producing an annual revenue of 40 lacs of rupees, and containing more than 4,000,000 of people, who have long desired to return to our rule. It would completely surround with British territory the dominions of his Highness the Nizam in a manner highly beneficial for the purposes of internal administration. It would render continuous several British Provinces, between which foreign territory is now interposed. Orissa, in the east, would be joined with Candish on the west; and Berar recently assigned to us on the south, would be made fully continuous with the Saugor and Nerdubba Territories to the north.

It would place the only direct line of communication which exists between Calcutta and Bombay almost entirely within British territory, whereas the road now passes for a considerable distance through foreign states. In civil Government it would introduce no novelty, for it would restore to the people of Nagpore the system of administration with which they were familiar for many years, and which they have long desired to regain. On the military establishment it would impose no irksome innovation, for the present army of Nagpur was organised by ourselves, and still retains much of the form and of the feelings it received under British command.

To sum up all in one sentence, the possession of Nagpore would combine our military strength, would enlarge our commercial resources, and would materially tend to consolidate our power.

34. It may be useful that at this point, I should bring into one view the several propositions which I have endeavoured to establish in this Minute:—

First.—The State of Nagpur, forfeited by the treachery and hostility of Appa Sahib, was declared to be "ours by conquest," was conferred in 1818 upon the late Rajah Rughojee Bhooslah, and was confirmed to him, "his heirs and successors" by the treaty of 1826.

Second.—The Rajah has died, and has left no heir of his body; there is no male heir who, by family or hereditary right, can claim to succeed him. The Rajah adopted no son, and no son has been adopted by his widow.

Third.—The Raj of Nagpur did not pass to the late Rajah in 1818 by any recognition of adoption, but by the free gift of the British Government.

Fourth.—Consequently there is no obligation imposed upon the Government either by justice or equity or precedent, to recognise a right now in any person or family to the sovereignty of Nagpore.

Fifth.—Regard for the interests of the people of Nagpore, who have suffered under Marhatta rule, and prospered under British administration, forbids the maintenance of the sovereignty of Nagpore, now that it is in the free disposal of the British Government.

Sixth.—Regard for the essential manufacturing interests of England forbids our alienating a second time possessions which would materially aid in removing our most urgent manufacturing difficulty.

Seventh.—Regard for the general interests of India forbids our throwing away a territory, the possession of which would combine our military strength, would enlarge our commercial resources, and would greatly tend to consolidate our power.

I respectfully trust that the facts that have been stated, and the arguments that have been adduced in support of these propositions, will justify to the Honourable Court of Directors the conclusion to which I have come, "that by the death of the Rajah of Nagpore, without any heir whatever, the possession of his territories has reverted to the British Government which gave them: and further, that the possessions thus regained should not again be given away, since their alienation a second time is called for by no obligation of justice or equity, and is forbidden by every consideration of sound policy."

35. I am well aware that the continuance of the Raj of Nagpore under some Marhatta ruler, as an act of grace and favour on the part of the British Government, would be highly acceptable to native sovereigns and nobles in India; and there are doubtless many of high authority who would advocate the policy upon that special ground.

I understand the sentiment and respect it; but remembering the responsibility that is upon me, I cannot bring my judgment to admit that a kind and generous sentiment should outweigh a just and prudent policy.

36. If my honourable colleagues in the Council should be of opinion that the State of Nagpore ought now to be incorporated with the British territories in India, it will become necessary to determine in what manner the Government of India should proceed.

The desire of the Government would naturally be to submit the whole question for the consideration of the Honourable Court of Directors and to await its decision and orders, keeping in the meantime all matters at Nagpore in the state in which they are.

But the adoption of this course would be open to grave objection, though less objectionable now than it would have been when the destination of Nagpore was determined by the Governor-General on his own responsibility in 1818, because the increased facility of communication would render the delay which would be incurred by such a course now much less considerable than in former times.

The Resident reports that the country is tranquil, and that no disturbance has occurred on the death of the Rajah, nor is any disturbance anticipated by reason of the vacancy in the succession to the throne. But it is obvious that such a state of uncertainty is exceedingly undesirable. It must needs unsettle the minds of the people, and weaken the authority of the local officers. It affords opportunity, and would seem to give direct encouragement to family intrigues, and it may not improbably cause pretenders to start up, as has already happened in connexion with the name of Appa Sahib.

The Honourable Court was pleased to recognise the weight and validity of similar considerations when, in 1849, I felt it to be necessary for the public interests that the future disposal of the Punjab should be proclaimed at once without incurring the delay of a further reference to England. The same considerations would, I trust, be admitted as conclusive of the question now.

There does not seem to be any necessity for a proclamation at present, because the event has occurred in the ordinary course, without hostilities, and it appears by the report of the Resident, that the public mind throughout Nagpore is prepared for its transference to the British Government.

I would therefore propose to direct the Resident to communicate to the Ranees and connexions of the late Bhooslah family, and to the civil and military establishments, that the State of Nagpore, in the absence of all heirs to the musnud, has again reverted to the British Government, as in 1818, and that it will henceforth be retained as British territory. The advantage of this mode of proceeding is, that while it will counteract all the evils of uncertainty, it would not prevent the Honourable Court from giving effect to a different view regarding the disposal of Nagpore, if it should think fit to do so.

37. It would be premature at this stage to enter into any detail respecting the future administration of the country. I have no hesitation, however, in advising that the general system which existed under the management of Mr. Jenkins, with such entirely satisfactory results, should at once be restored as the groundwork of our future administration in Nagpore.

The system introduced into the Punjab has worked so well, that if none had previously existed under our direction in Nagpore, it might probably have been advisable to establish the Punjab system there. But as there was a system before, and as its success conclusively proved that it was well adapted to the character and circumstances of the people to whom it was applied, it would be an unwise neglect of experience if we were to seek for some different form of administration now.

Governor-General
to Resident, 18 June
1848, paragraph 15.

The leading general principle laid down for the guidance of the Resident in his management of Nagpore by the Governor-General, the Marquis of Hastings, namely, the establishing plain, simple and efficient regulations on the basis of the ancient usages and laws of the country is the principle which should pervade our future administration in every department of the public service.

Liberal provision should be made for the ranees and the connexions of the late Bhooslah family; full consideration should be shown for the interests of old and respectable servants of the State; and the civil, and more especially the military establishments should be readjusted, with a steady regard to the contentment of those whose interests are involved, and to the preservation of general tranquility, rather than to any immediate augmentation of disposable revenue.

38. With this explanation of the general principles I should propose to follow in regard to the territory of Nagpore, I shall close the present Minute.

(Signed.) DALHOUSIE.

28 January 1854.

Minute by the Honourable F. A. Dorin.

I assent most heartily and thoroughly to the axiom propounded by the Nagpore.
Most Noble the Governor-General, that by the death of the Rajah of Nagpore without any heir whatever, the possession of his territories has reverted to the British Government which gave them; and that the possession thus regained should not again be given away, since their alienation a second time is called for by no obligation of justice or equity, and is forbidden by every consideration of sound policy.

The argument by which his Lordship upholds this principle in every conceivable point of view, I consider to be so conclusive as to be unanswerable.

I hold that the wording of the fifth clause of the treaty of 1826 alludes to the "heirs and successors" and successors only because heirs of Rughojee Bhoosla personally, and that it does not bind the British Indian Government to any recognition of title to the Nagpore State extending beyond Rughojee's own descendants, lineal or adopted, according to the customs of the Marhatta nation.

It now happens that there is no such male descendant whatever, either lineal or adopted, of the Bhoosla family, and the Nagpore territory lapses to the paramount power.

I conceive it, therefore, to be a simple question of policy, whether we shall maintain a native dynasty in Nagpore or annex the country at once to the British Indian dominions.

It seems to me that the principle of upholding a native ruler against his own subjects by British power, whatever may be his qualities, whether for good or for evil, is altogether indefensible and cannot be supported. The fact of irresponsibility is in itself a complete bar to good government.

If it were possible to withdraw British influence entirely from any native state, so as to leave its government to stand or fall on its own merits, there might be reason for trying the experiment of self-government, but in the position in which the British Government, as paramount in India, stands to Nagpore, this isolation is not practicable.

Between the two extremes, of entire neutrality or entire possessions, I see no justifiable cause of interference for the Government of India.

And surely we are bound to consider the general aspect of India in relation to British supremacy, and to inquire whether it is possible to limit that supremacy.

I do not believe it to be possible. The gradual extension of European principle, and science, and literature in India must inevitably have the effect, sooner or later, overpowering all purely Asiatic systems. So far as we can foresee the ultimate destiny of this great empire, its entire possession must infallibly be consolidated in the hands of Great Britain.

Thoroughly believing in this dispensation of providence, I cannot coincide in any view which shall have for its object the maintenance of native rule against the progress of events which throws undisputed power into our possession.

That native opinion amongst the princes and nobles of India might prefer the continuance of its own system of sovereignty, is quite to be understood. We know that native opinion is not frequently opposed to progress and to improvement, but this does not render the wisdom and justice of improvement the less palpable.

Acting on these views and deeming this course to be not only politic as regards English interests, but a link in the inevitable chain of progress which has directed, and will continue to direct, our power and position in India, I am of opinion that it is useless and unjustifiable to attempt to reconstruct a native dynasty in the Nagpore territories which have lapsed to the Government of India.

I concur with the Most Noble the Governor-General that they should be taken possession of immediately, and administered in the manner indicated by his Lordship.

2 February 1854.

(Signed) J. DORIN.

Minute by the Hon'ble Colonel J. Low, C.B.

1. After a very careful perusal of the Most Noble the Governor-General's minute on this important subject, and of the various papers circulated along with that document, it is with feelings of sincere regret that I find it quite out of my power to arrive at the same conclusion as his Lordship has done respecting the course which the British Government ought now to pursue towards the Nagpore State; and I can truly add that I write this minute with some reluctance, for it vexes me that it should be my duty to express, on an important subject, sentiments which are opposed to those of a statesman whose great talents, whose eminent public services and whose whole character I view with genuine admiration and respect.

Death of the
Rajah of Nagpore
and minute by the
Governor-General,
dated the 28 Janu-
ary 1854, respect-
ing the measures to
be adopted by the
British Government
in consequence of
that event.

2. There is also another cause for my disinclination to write this minute, which I may as well confess at once, *viz.*, that I feel completely convinced that, practically speaking, it will have no effect whatsoever on the majority of the public functionaries in London, who will have to consider and to decide this question.

3. Nor shall I be in the least degree surprised at such a result, more especially so if the Commissioners for the Affairs of India should exercise their legal prerogative in this case, by deciding the question (whether the Court of Directors may agree with them or not); for it is perfectly natural that the Members of the Board of Control should not allow any weight whatever to the notions on such a question of an officer like myself, who is entirely unknown to them, when opposed to the deliberately-formed opinion of a statesman like the Marquis of Dalhousie, in whose well proved ability and judgment, and high integrity of purpose, they have entire confidence.

4. Nevertheless, as I know it to be the duty of a member of Council towards the Court of Directors to state his opinion honestly on every question of importance, even when he may differ from all his colleagues; while I have the satisfaction also of knowing that the present Governor-General would wish me to express my sentiments freely at all times, I shall now proceed to state my views on this Nagpore question very fully, because the final decision of this question may possibly establish a precedent that may lead to very extensive effects, for good or evil, on the interests of the British Indian Empire.

5. Before I proceed further, I think it right to make some general observations connected with the practice of adding to the Company's own empire, by the annexation to it of dominions which now belong to native princes.

6. If Great Britain shall retain her present powerful position among the States of Europe, it seems highly probable that owing to the infringement of their treaties on the part of native princes and other causes, the whole of India will, in the course of time, become one British Province; but many eminent statesmen have been of opinion that we ought most carefully to avoid unnecessarily accelerating the arrival of this great change; and it is within my own knowledge that the following five great men were of that number, *viz.*, the Marquis of Hastings, Sir Thomas Munro, Sir John Malcolm, the Honourable Mountstuart Elphinstone and Lord Metcalfe.

7. Although I know the above-mentioned fact to be correctly stated, it is not at present in my power to quote the precise reasons on which those statesmen grounded their opinions, but I think it right to mention some of the reasons which have led me to form exactly the same opinion, and honestly to believe it to be a sound one.

8. I do not think that any country governed as India is, by a few foreigners, can be in a really prosperous, or even in a safe condition, till there shall be among its native subjects a much more general attachment to the ruling powers than there is at present among the inhabitants of British India; above all, I do not think that we ought to annex a Native State which has not failed in its engagements with us to our dominions, till there shall be a far greater number of our subjects in the possession of wealth and influence, and enjoying high consideration among their own country-men than are now to be found in the company's territories. In short, till there shall be numbers of men in every large district, so prosperous and wealthy, and so thoroughly satisfied with their condition, that they shall be sincerely attached to our Government, and be both able and willing for their own interests, to afford important aid to us, by the exertion of their influence in the event of our Indian possessions being invaded by powerful foreign foes or endangered by any internal insurrection or want of fidelity in our native army.

9. That sort of influence comes when required to the aid of rulers, more or less, in all national Governments; but we do not yet possess any such advantage in British India; and in any humble opinion we are not likely to possess it for the next 60 or 70, or perhaps for 80 years to come.

10. So far from increasing or keeping up the previous number of wealthy or influential men in those Native States which we annex to our own territory, we uniformly and immediately diminish the number of such men in those countries. This is not the fault of the officers employed in such new territories, neither is it the fault of the Local Governments of India during the last half century or more, for they have only been acting according to a long established system confirmed by their superiors in England.

11. The general effects which I have described of the number of men of wealth and influence being immediately diminished, when we take possession of a new territory, have probably been produced by various causes; such, for instance, as that of our remitting large portions of the revenue for pensions and salaries in England (which bring no return to India), instead of spending such revenues within the countries which produce them, as all national Governments do. And again, our not employing natives in high military commands, or in very important civil offices, must also have the same general tendency; and so must the fact of our being foreigners, who never associate with, or make personal friends of natives of India. But without entering into further details, I may truly say, that the effects to which I have alluded are inevitable, from the whole nature of our system, and it is not now in our power, except by very slow and gradual steps, in any material degree to alter that system. That we shall in the course of time, by promoting general education among our

subjects, by giving them more important employment under us ; by granting long leases of landed estates to men of good character, and by other means, make great improvements in their condition, I have no doubt at all ; but I feel equally sure that it will require a long course of years to effect all the changes which are desirable for our own permanent prosperity and security in India.

12. I could cite in detail, were it necessary, several instances in times of famine, which have occurred at different times within my own personal knowledge, in the Deccan, in the Saugor territory, and in the North-Western Provinces of our having suffered very heavy losses in revenue, and very extensive losses in human lives, owing to the want of wealth among our native subjects ; while in the neighbouring Native States, which had experienced exactly the same drought, they did not suffer nearly so much, either by the death of their subjects or in revenue, solely because the wealthy jageerdars and zamindars, and other men of property (and as far as regards Oude, even farmers of districts) made large advances of money from their private funds, whereby great numbers of men, by digging new wells, were enabled to raise sufficient grain to keep them alive for the season, and who but for those advances of specie, must assuredly have died of starvation.

13. No very great merit, in many of these cases, could be attributed to the donors or lenders of the money, because they knew that by saving the lives of their ryots they would secure themselves from heavy pecuniary losses of revenue in the subsequent year ; and I need scarcely say, that in ordinary seasons their districts were not governed with nearly so much justice or efficiency as the neighbouring provinces of the British Government were. I only mention these facts in illustration of my assertion, that it would be a great advantage to ourselves if there was more individual wealth among the native subjects of our dominions.

14. But I must not longer delay to offer my opinion on the particular case which is now before Government.

15. When I first received the impression (a few days ago) from a conversation which I had with the Governor-General that his Lordship was likely to arrive at the conclusion respecting Nagpore at which he since has arrived, my mind was a good deal occupied, after I left his Lordship, in reflecting upon the following important question, *viz.*, ought we not to be contented with the territories already in our possession, without going out of our way to make further annexations to the already enormously extensive dominions of the East India Company ?

16. The only answer which I can conscientiously give to such a question is, that we ought undoubtedly to be satisfied with what we have, and that, even for our own interests, it would be wise policy, during the ensuing 20 years, to endeavour to avoid rather than to seek for opportunities of annexing more of the Native States to our own dominions ; by which policy we should not only secure the loyalty and willing co-operation, in ordinary times, of most of the native princes in alliance with us, but we might reasonably hope in that way to bring a conviction into their minds that their own individual interests would be secured

and promoted by the stability of the British supremacy, even if India should ever be invaded by powerful foreign enemies. It has often been, and may again be, of no trifling advantage to our own interests that the rulers of native states should have a friendly feeling towards us. During our disasters in Afghanistan, Colonel Sutherland at Ajmere, and I myself at Lucknow, felt so confident that we could do so with safety, that we permitted (both of us having been allowed the option, considerable numbers of our own troops to leave Rajpootana and Oude, in order to join our forces to the westward, and no inconvenience whatsoever ensued; while great numbers of camels and large quantities of grain were supplied from Rajpootana* and upwards of 40 lacs of rupees in specie and many elephants were lent by the King of Oude, solely for the purpose of aiding us in our operations in the field.

17. I cannot perceive that there is any sort of necessity for our adding Nagpore to our own territories at present, were it only for the following reasons :—

First.—That there is a remarkably good feeling towards us on the part of the inhabitants of that country, as it is; probably a stronger one than there will be after it shall have been 10 years in our own possession.

Second.—Because our general finances are in a highly prosperous condition, in comparison to former times, and with every prospect of their improving still more.

Third.—That we are already exposed to constantly-recurring inconveniences, from the want of a sufficient number of civil and military officers for the duties of our present possessions.

Fourth.—That it seems a pity to disturb the arrangements in that part of India which have answered all our general purposes so remarkably well as those at Nagpore have done during the last 30 years; for so quietly has the native government managed its internal concerns, that we have not had occasion to have a single shot fired by a British soldier in the support of the Durbar during the whole of that long period of time.

Lastly.—If it be thought by the Governor-General that some additional revenue from that part of the country is necessary or proper, we might easily obtain an additional 12 lacs per annum, without any expense in collecting it, by adopting the plan sketched by Mr. Mansel in the latter part of his despatch No. 20, dated the 14th December last, of allowing the senior widow to adopt Yeshwunt Rao Ahey Rao, who, in the Resident's opinion, "would decidedly be preferred by the mass of the courtiers to any other youth for the musnud, whether given to him by adoption or grant from the Company"; and the Resident further observes (paragraph 31), that "on the one hand such an arrangement would yield to the British Government considerable financial and political advantage, and, on the other hand, it would preserve a Native State in feudal chieftainship. The prejudices of the native aristocracy would be thereby conciliated, and by no means an uninfluential section of public opinion, here and in Europe, would, we would hope, be satisfied at our moderation."

* On that occasion several of the principal Rajpoot Chiefs also begged Colonel Sutherland to let them send quotas of their cavalry to serve with our troops against the Affghans.—J. Low.

18. In regard to the increase and improvement of cotton cultivation, it appears to me that there are ample fields for our operations in the extensive districts of the Southern Marhatta country, and in other parts of India which are our own property, and in the valley of Berar, which is under our exclusive management, without our requiring any part of Nagpore for our work of that sort.

19. I think it right on this occasion to record my knowledge of the fact that the confidence of our native allies in our good faith has been a good deal shaken by some of the events of late years, and especially so by our conquest and occupation of Scinde, our attack upon Gwalior, and our annexation of Sattara; and it seems to me in the highest degree desirable that we should now endeavour by our acts towards native States generally, to remove from the minds of those princes their present feelings of uncertainty and distrust and not to run the risk of exasperating such feelings into deep-rooted discontent with their own condition and prospects, and, in many cases, into a hatred of the British rule.

20. So soon as the permanent annexation of Nagpore shall be known in the Deccan, in Goozerat, in Malwa, and in Rajpootana and Bundelcund, there will assuredly be throughout those extensive countries much of the dread and discontent above alluded to engendered, which cannot be removed without many years of moderation on our part from the minds of the native rulers, generally speaking; but, of course, in an especial degree, from the minds of those who are without sons of their own to succeed to their respective principalities.

21. Unfortunately, the evil effects which will be produced by such feelings as those above described, will not be confined to want of useful co-operation with us on the part of those princes. Many of those men are too selfish and avaricious already, and such men will become infinitely more so and will be more cruel and extortionate than ever they were before if they have no legitimate sons and have consequently every reason to fear that their will be no lands to leave behind them for their widows, and other members of their families.

22. Every native prince so situated must naturally become more indifferent than ever he was previously about the general prosperity of his dominions, when he shall have reason to believe, that, at his own death, those territories will pass away for ever into the hands of a foreign power.

23. In my conversations with natives, when I was in Rajpootana, there never was any unpleasant remark made to me respecting the annexation of the Punjab. Some said Duleep Singh was an unlucky youth in having such bad counsellors; but no one ever said that the British Government acted with injustice in annexing that territory to its own; they seemed perfectly to understand that an invasion of our territory entitled us, according to the ordinary course of human affairs, both to repel the invaders and to seize their country.

24. But every person who mentioned the subject to me, and there were numerous persons who did so, held totally different language in regard to the annexation of Sattara. They did not make use of many words on such occasions; my own situation, being one of authority over them, placed them under great restraint in that respect, but what they did say, and their manner of saying it,

showed me very clearly that they thought it a case of might against right, and all expressed an earnest hope evidently accompanied by some dread in their minds to the contrary, that a kind Providence would save the Rajpoot families from such disgrace and disaster.

25. One vakeel, belonging to the Jeypore Government, made a remark to me to the following purport, *viz.* :—" I don't know how the Deccan Rajahs will feel or act but if the Company's sirkar ever carry that sort of practice into effect in Rajwara, God help the men who have any money in those States where the Rajahs happen to have no sons." And he then mentioned particularly how that such a man as the Rana of Oodeepoor would extort money from his subjects in all directions to leave behind him to his wives and concubines, if he thought that he could not adopt whom he liked as his successor.

26. When I went to Malwa in 1850, where I met many old acquaintances whom I had known when I was a very young man, and over whom I had no authority in 1850, I found those old acquaintances speak out much more distinctly as to their opinion of the Sattara case so much so that I was on several occasions obliged to check them.

27. It is remarkable that every native who ever spoke to me respecting the annexation of Sattara, asked precisely the same question, *viz.*, " What crime did the late Rajah commit that his country should be seized by the Company ? " Thus clearly indicating their notions that if any crime had been committed our act would have been justifiable and not otherwise.

28. Of course I got rid of the questions above-mentioned as best as I could, by saying that I could not give them any information in the matter, as I had not seen any of the papers connected with ; but I mention these facts now, in justification of my belief, that as soon as the annexation of Nagpore shall be known, similar questions will be anxiously asked by natives all over India, and no human being will be able to answer them to their satisfaction. They will never hear the arguments by which this Government justifies itself in its own opinion for annexing that country, and they would not think them valid, if they did hear them. They only know a few great facts, and they reason upon them. They know that the late Rajah did not make war upon us, or upon any of our allies : they know also that he did not neglect to pay his tribute to us ; they know that he did not so mismanage his country as to cause inconvenience to us ; they consider that the succession to a Raj like that of Nagpore, is one of those matters of interior arrangement with which the paramount State has nothing to do, unless there should happen to be rival competitors and they know full well, notwithstanding the fact that the Rajah did not himself adopt any one, that someone would have been adopted by the senior widow and the principal people about the Durbar as successor to the Raj, if they had not been deterred from doing so by the presence of a British Resident.

29. I feel as sure as I am of my own existence, that I have above correctly described what the feelings of the native princes of India, generally speaking, will be if we now annex the Nagpore country to British India, and I feel equally sure that extensively mischievous effects in various ways will be produced by that act.

which were not contemplated as being possible by the Most Noble the Governor-General, when he wrote his minute on this subject. We shall gain a few lacs of rupees of revenue per annum and we shall save a good many families and individuals from occasional over-taxation ; but we may indirectly be the cause of more evil of that very description in other States than the good which we shall effect in Nagpore ; and the feelings of indifference about the welfare of their subjects, and of discontent respecting their own prospects, which will be engendered in the minds of other native rulers, will, in some instances, with men who chance to have no sons of their own, amount to a deep-rooted hatred of our supremacy that can scarcely fail, though perhaps, indirectly, to be injurious to our own interest.

30. Adverting to all the facts and considerations above recorded, it is my very decided opinion that we ought not now to annex the Nagpore territories to the dominions of the East India Company.

31. On reading over this minute, I see that I have only discussed the question as regards the impolicy, according to my views, of the proposed annexation. I have not said anything very specially as to our right in this particular case ; it seems, therefore, only due to myself that I should also state my opinion on that point, but as this paper has already extended to a great length, I will tomorrow write a separate one on the question of our right.

32. Before closing this minute, however, I beg to copy a celebrated declaration made by the Duke of Wellington in 1802, and then to make a brief observation on my own part.

33. The declaration in question was the following, *viz.* : “ I would sacrifice Gwalior, or any Frontier, ten times over, in order to preserve our character for scrupulous good faith.

34. I have much satisfaction, as connected with our prosperity in India, generally, in knowing the Most Noble the Governor-General is as great an admirer as I am of the above quoted declaration. I know also that nothing would induce his Lordship to annex Nagpore if he did not consider that we have a clear and undoubted right to do so ; and I am disposed to think that he would have felt disinclined to adopt the measure if he had thought it probable that sensible and well-intentioned native princes would really view it as detracting from our reputation for good faith. But be that as it may, I am myself fully convinced that the sincere opinion of most of our Hindoo allies will be that the senior widow of the late Rajah ought to have been invited (as Baeza Bae at Gwarlior was) to adopt a successor to the throne of Nagpore ; and I feel equally sure that they will honestly and sincerely believe when we annex the Nagpore territory to our own dominions, that we have departed from that honourable and scrupulous good faith which they formerly attributed to the East India Company's Government.

10 February 1854.

(Signed) J. LOW.

Further minute by the Honourable Colonel J. Low, C. B.

On the annexation
of Nagpore as a
matter of right.

1. In my minute of yesterday I discussed the projected annexation of Nagpore as a question of policy; I shall restrict myself in this minute chiefly to the question of our supposed right by the treaty to adopt such a measure.

2. I give my opinion on this point with some diffidence, in consequence of its being different from that of the Most Noble the Governor-General; but as it is my duty to express my sincere opinion with honesty, whether it be an erroneous or an accurate one. I now proceed to do so as briefly as I can consistently with distinctness in showing the facts and the reasoning on which I have formed that opinion.

3. As I consider it now certain that in a few months hence the Nagpore country will be annexed with the British Indian Empire, I can say with entire sincerity that it would give me real pleasure if I could believe that our right to annex it has been satisfactorily proved*; but the belief in a man's mind on many subjects is not at his own option and I regret to say that I find it impossible to believe that we have now a legal right by the treaty, or by any general law of nations to deprive the Bhonsla family and the chiefs of the Nagpore territory of their right to regulate the succession to the throne according to their own wishes and their own customs.

4. Before proceeding further, I beg to say a few words respecting the popularity of our former administration at Nagpore.

5. It is quite natural that the people at Nagpore should have a most grateful recollection of the Government of Sir Richard Jenkins; it would, indeed, be extraordinary and entirely unaccountable were it otherwise; but we shall deceive ourselves if we expect that our future rule in that country will be equally popular with that of Sir Richard Jenkins, for the following reasons, *viz.*, at that time the whole people of the Nagpore dominions felt that their own institutions were not to be disturbed. They knew that in a few years afterwards they were to have their own Rajah, who they naturally hoped would be a good one; and in the meantime the Resident acted towards them in every respect in his public measures exactly as a peculiarly kind, liberal, just, and highly talented native Rajah would have done. From motives of generosity and good policy at the time, Sir Richard kept up many of the old native establishments which were not really necessary for the maintenance of good order. He was very moderate in his revenue assessments (he had no possible motive to do otherwise); he did not alter or curtail the possessions of any of the large zemindars; he allowed the native heads of villages to manage the police on the system of the previous native government; he did not seize for the durbar any of the rent free lands, and, above all, he did not send away to any distant country a single rupee of the revenues, the whole of which were expended, one way or other within the country which (on a very moderate assessment) had produced them, except

* Because believing, as I do, that our reputation for good faith will be injured, and that he shall thus lose moral influence in other parts of India, it would give me real satisfaction if I could believe that at least we had a legal right to act as we are now about to do at Nagpore.—J. Low.

a small sum per annum that was placed in the Rajah's treasury for the legitimate purposes of that very country, and for no other purpose. In short, Sir Richard governed exclusively for the benefit of the people of the Nagpore country, and not for any direct advantage to the East India Company.

6. I say without fear of contradiction, that it is utterly impossible that the administration of any future British Commissioner in charge of Nagpore, can ever be so popular as that of Sir Richard Jenkins, after that country shall become our own and I think no one can dispute the accuracy of that assertion, who will reflect upon the facts described in the preceding paragraph, and then take into consideration even the few of the consequences that must inevitably follow our annexing the Nagpore territory, which I now proceed to mention, *viz.*, the grand and chief cause of our rule not being so popular as before, or not so useful to the Nagpore people, will be this, that, as a matter of course, we shall draw off a large portion of its revenues to other countries, for our own purposes. Secondly, that we shall, for the sake of economy, discharge many military and other establishments, among the Nagpore people, which Sir Richard Jenkins kept up; and, lastly, that we shall gradually, perhaps, but not less certainly, for our own convenience and profit, make many alterations from the native modes of management, and substitute other modes in lieu of them, which changes cannot be popular among the inhabitants of that country, because, although our Government is highly valued in many respects, by the natives of India, and very naturally so from our integrity and our justice, yet they are in one respect exactly like the inhabitants of all other parts of the known world, they like their own habits and customs better than those of foreigners.

7. I fully admit, however, that the great mass of the people in the Nagpore country ought in reason to be contented under the system of government now projected for them by the Governor-General, and they will certainly be governed with much more justice than they ever were under the late Rajah; but the men of high rank and influence in the country will, in my opinion, be less contented than they are now; and it does not even follow that the lower classes of the people, 10 or 12 years hence, will feel any gratitude to us for having taken them under our rule. I fear that a large proportion of the people will be too likely to do, as I know they did in the Poona territory, namely, to forget the injustice and the oppression which they often suffered under their native rulers, and to magnify the annoyances to which they will occasionally be subjected from the strictness of our general system, and from the arrogance and petty tyranny of native official servants under our officers, which last is a species of evil that no exertions on our part can prevent.

8. But supposing, for the sake of argument, that our rule were to be, for all time to come, most popular among the people, that prospect of itself would not be sufficient to justify our acting contrary either to the spirit or the letter of the treaty, and in my sincere opinion, we shall, in this case, be acting contrary to both.

9. The first time the idea was ever started by any one, that the late Rajah of Nagpore and his family did not possess the same rights as Appa Sahib before his deposition, or any former Rajahs of Nagpore, was in 1837, by Mr. Cavendish in his despatch, dated the 8th of February of that year.

10. Mr. Cavendish's sentiments on that subject were expressed in the following words, *viz.*: "In my opinion, adoption should not be allowed, for the British Government conquered this country and gave it to his Highness and his sons and on his death without an heir apparent or posthumous child, it should escheat or lapse to our Government"; and again in the following words, which occur in the same despatch, *viz.*: "At Gwalior, Hyderabad, Lucknow, etc., such a procedure would be improper, for those countries were not given to the present or former rulers by the British Government, and they cannot therefore lapse to it on the failure of heirs mediate; but the territories of Nagpore, Mysore and Sattara were granted by the Honourable Company, and no one but a descendant of the grantee ought to succeed or can by the laws of the land advance any just claim to the succession."

11. The above quotations show, it may be presumed, the opinion which Mr. Cavendish had formed of the intentions of the Marquis of Hastings, when he signed and sealed the treaty by which the late Rajah succeeded to the throne of Nagpore; but Mr. Cavendish, in giving this opinion, did not even take the trouble to make any quotations from the treaty in order to show the grounds on which he had founded his opinion.

12. Now, if opinions of individual officers given in that manner about treaties with foreign states, without discussing and without close attention to the actual wording of those documents, were to be allowed to have any weight with British Indian Government, it would lead to most glaring inconsistencies of conduct, and often to acts of great injustice. The most opposite opinions might in that way be acted upon at different times, without any proper cause of such difference of procedure. For instance, I conceive that I had myself a better opportunity of forming a correct opinion merely from general information respecting Lord Hastings' intentions in regard to Nagpore than Mr. Cavendish, because in 1820 and 1821 I had several personal conversations with Lord Hastings (and also with Mr. Adam and Mr. Swinton) on Nagpore affairs generally; and my full belief from that intercourse was then, and is still, that his Lordship considered the Rajah whom he had placed on the throne of Nagpore in 1818 to be in possession of precisely the same rights, both present and future, respecting heirs and successors as his Highness would have had if Appa Sahib had died suddenly, and had never offended the paramount power.

13. But neither Mr. Cavendish's opinion nor mine are of any value whatever on such a point, unless they can be supported by a generally admitted construction of the terms of the treaty. Mr. Cavendish says, in effect, that Nagpore should now lapse to our Government, because, "we gave only to his Highness and his sons." In regard to the three words last quoted, *viz.*, "and his sons," Mr. Cavendish is positively and completely mistaken, for no such words were made use of in the treaty; and surely, the fact of the late Rajah having received Nagpore by gift, along with a formal treaty, from the British Government, ought not in fairness or in common sense to place him in a lower position than other native princes in alliance with us, unless the gift was bestowed along with specific conditions defining that inferiority.

14. I have just perused Lord Hastings' treaty with great attention, and I cannot see in it any expression which justifies the doctrine announced by Mr. Cavendish; and as Major Wilkinson, when Resident at Nagpore in 1840, gave what to my mind is an unanswerable reply to that dictum of Mr. Cavendish, I beg leave here to quote the following extract from Major Wilkinson's despatch, dated the 30th June of that year;

"My predecessor, Mr. Cavendish, in his despatch to Mr. Secretary Macnaghten, dated 8th February 1837, in second paragraph, gave it as his opinion that 'adoption should not be allowed, because the British Government conquered that country, and gave it to his Highness and his sons; and on his death without an heir apparent or posthumous child, it should escheat or lapse to our Government.' I cannot find in the records of this office, that the country, as stated by Mr. Cavendish, was given to his Highness and his sons; and in the preamble of the treaty of the 1st December 1826, at the conclusion, is the following sentence: 'Appa Sahib entered into fresh concert with the enemies of the British Government. That Government was consequently compelled to remove him from the musnud, and Maharaja Raghojee Bhonsla having succeeded to the same by the favour of the said Government, the following treaty is concluded between the States.' From this I think it is evident, that the present 'Rajah was placed in the exact position Appa Sahib was removed from, which was that of an independent prince, possessing the same power and authority as any other independent prince in India. As such he entered into a treaty of alliance with the British Government on the 1st December 1826, which treaty was subsequently modified by the treaty of 26th December 1829. By neither of these treaties did he relinquish any right, in failure of sons legitimate, to adopt. If, therefore, other independent princes or their widows have the power to adopt, it seems to me that he, or his widow, has the same."

"After the most mature deliberation, I cannot come to any other conclusion than the one above stated; for if we had intended to restrict the succession to the lineal male descendants of His Highness the Rajah, such would have been expressed in one or other treaties referred to."

15. The portions of the foregoing extracts which I have now underlined, appear to me absolutely unanswerable. They prove most clearly to my mind that according to fair dealing and according to the treaty, and our usages heretofore in our dealings with other Hindoo States, the principal widow at Nagpur should now be allowed to adopt a successor to the throne of that State.

16. I now beg to quote in the *margin a further extract from the same despatch, in order to show that Major Wilkinson did not give the above quoted opinion from any partiality to the scheme in the abstract, of keeping up a native Government in Nagpore. His feelings, as will be seen, were the very reverse of that; and he thus formed his opinion upon an honest and unprejudiced construction of the treaty.

See below.

* "I should have been glad if I could have coincided in opinion with Mr. Cavendish, for the course he recommends would be most beneficial and gratifying to the mass of the population of the State, who desire nothing so much as to be placed under the British Government; and it is not a mere idle wish for change, for they have experienced the blessings of the rule of British officers. The only people who would regret the change are a few favourites about Court, and their followers."

17. There is no doubt in my mind that we ought to act according to the *bonâ fide* meaning of the contracting parties at the time the treaty was signed and sealed by Lord Hastings; and I concur entirely with Major Wilkinson in thinking, that "if we had intended to restrict the succession to the lineal male descendants of his Highness the Rajah, such would have been expressed in one or other of the treaties." And again, as no unusual restrictions of any sort were inserted in the treaties, I also concur fully with Major Wilkinson in his assertion, that "the Rajah was placed in the exact position Appa Sahib was removed from, which was that of an independent prince, possessing the same power and authority as any other independent prince in India. As such he entered into a treaty of alliance with the British Government on the 1st December 1826, which treaty was subsequently modified by the treaty of the 26th December 1829. By neither of these treaties did he relinquish any right, in failure of sons legitimate, to adopt. If, therefore, other independent princes, or their widows, have the power to adopt, it seems to me that he, or his widow, has the same."

18. The underlining which appears under six of the words of the preceding extract is not in the original. I have now underlined them, in order to indicate distinctly Major Wilkinson's and my own construction of the treaty, as bearing on the present state of affairs at Nagpore.

19. I observe, in the Governor-General's minute, at the close of the 23rd paragraph, his Lordship states, that "the boy was made Rajah of Nagpore by the British Government long previous to any adoption of him into the Bhonsla family. His adoption, in short, was the consequence of his elevation to the musnud, not the cause of it."

20. I do not in any way dispute the accuracy of the foregoing statement; but what I would submit for consideration is this, that the relative position of the two Governments is totally different now, at this vacancy, from what it was in 1818, by the deposition of Appa Sahib. We had then conquered the Nagpore Rajah in a public war, and we had thereby a right to do what we chose with the State. For instance, we might, had we thought it our interests so to do, have selected a Rajah without giving him the title of Bhonsla at all; or we might have appointed a Mahomedan to be the future ruler of the remaining territory of which Nagpore is the capital.

21. But as we thought it our interest to place a young Hindoo Rajah on the throne, to have him adopted into the Bhonsla family, and to enter into a formal treaty with him, which made him an independent sovereign as far as regards all the interior arrangement of the State and as he was actually placed in that position at the expiration of his minority, I conceive that we are bound by every obligation of good faith (and that we have no legal right to act otherwise), to deal with this case exactly as we should have done if Appa Sahib had died a natural death, without having ever given us any offence, and had been succeeded by the late Rajah in the ordinary course of affairs as the nearest male relative of his immediate predecessor.

22. Such being my view of our duties in the present state of affairs at Nagpur, I think we ought to follow as nearly as we can the former usages of the Bhonsla family in regard to the succession, and that we cannot take a better guide for that

purpose than Sir Richard Jenkins, who, in the 5th section (headed "Government and Court of Nagpore") of his report addressed to Lord Amherst, in July 1826, gave the following account of one of the maxims and usages of the Nagpore Government, *vis*: "Another maxim, generally acknowledged, is, that on the death of a Rajah leaving no male heir, it is the privilege of his principal widow to adopt a child from the relations of her husband to succeed him, and herself govern in his name. We followed this principle in our arrangements for setting up the present Rajah."

23. In my opinion, the question which we ought now to put to ourselves is, not whether it will be advisable or unadvisable for our interests to select a new Rajah, as we did in 1818, but simply the following one: "Have we or have we not a right, according to the treaty as it stands, to hinder the Bhonsla family (widows and relatives) of the late Rajah from settling the succession to the vacant throne according to their own customs and wishes?" My own opinion is that we have not any such right. I could not conscientiously give any other answer to the question, because I should feel that any other answer must be more or less contrary to that principle of international law (always deemed, I believe, to be a sound one in Europe) which declares that "one party to a treaty cannot be allowed to introduce subsequent restrictions which he did not express in that treaty."

24. Moreover, when the Indian Government has really intended to retain to itself any unusual rights after the death of the present incumbent on a native throne, a clause to that effect has been clearly inserted into the treaty. I have no means here of quoting official documents; but I know the fact, that in regard to the little State of Colaba, on the west coast of India, a clause was inserted declaring, that on the death of the then Rajah, without leaving a son to inherit the principality, it was to rest with the paramount State whether an adoption was to be permitted or not.

25. As Lord Hastings' treaty did not express any intention or claim any right to meddle with the internal affairs of the Nagpore State, after the Rajah should reach his majority, and as the treaty of Lord Amherst, in like manner, did not claim any such right when the Rajah had actually reached that age, it appears to me that we might very properly, in a case of this kind, consider another question, namely, "What would have now been the course pursued by the Nagpore Durbar if the Resident had been at a great distance from Nagpore, without any one acting for him, and without our having any British troops stationed near the capital?"

26. The case just described is one which has several times occurred at Hindoo Durbars in Malwa and Rajpootana within my own recollection, and the procedure in those cases, on the part of the families of a deceased Rajah, has always been that of adopting a boy, reporting the act to the Resident or the Governor-General's agent, and soliciting the confirmation of the paramount power. I cannot help believing that, if they had been similarly situated, the family would have acted in the same manner now; but they were naturally deterred from making any attempt of the kind, when they saw the British Resident at once take possession of the Government, and order the British troops to be in readiness

for any emergency that might occur. I need scarcely say that I am not imputing any blame to the Resident for what he did ; on the contrary, he was strictly obeying the orders he had received. I only mean to say that, under such circumstances, it is impossible to expect that the Bhonsla family would venture to advance their claims, or express their wishes about an adoption in a bold or even distinct manner, unless they had been openly invited to do so by the British representative.

27. In fact, an invitation from the British representative to the widows and some of the principal men attached to the late Rajah to state their claims openly, is the very course which, in cases of this kind, I should like to see followed. There might be conflicting claims ; but after an open discussion of them, the paramount power would have full means of coming to a just decision in the matter.

28. In cases of hostility or treachery, or extreme and habitual internal misrule, I would as readily consent to the annexation of a native State to our own dominions as any servant of the East India Company could do ; but I should like to see a marked difference in our measures towards allies who have been guilty of misconduct and those who have not been so. In this case the Bhonsla family have not even been accused of any serious misconduct ; and under such circumstances, I cannot bring my mind to believe that we have any just right to disallow their claims to govern the Nagpore dominions, unless we had ascertained from them in a public and distinct manner that they were willing to renounce those claims. It appears to me that we are by no means entitled to assume that they do not believe themselves to have a just right to adopt a successor to the Raj, merely because they have hitherto, under very peculiar circumstances, abstained from openly asserting that right, or because the late Rajah refused to converse at all with the Resident on the subject of an adoption.

29. Let us bear in mind that the Rajah of Nagpore was only 47 years of age. Surely there was nothing extraordinary in his being vexed at anyone seeming to suspect that he was unlikely ever to recover his health and become a father. There are thousands of men in all parts of the world, at a much more advanced age than 47, who would feel vexed with any person who insinuated such a probability ; and many instances have been known among natives of high rank in India, solely from that sort of sensitiveness, refusing to allow anyone, even a favourite daughter to speak to them about adopting a son, although they were not only very old men, but had been for years afflicted with severe bodily diseases.

30. I may here remark, that it might be fairly presumed that the late Rajah knew the custom of his country to be (as Sir Richard Jenkins has described it to be), that the principal widow in the family would adopt, in the event of his neither having a son of his own nor adopting one. But, above all, I contend that there was nothing unnatural in his refusing to discuss the subject of an adoption with the Resident, more especially as it appears that the latter never so much as hinted that his family after him would be sufferers in any way if he did not adopt ; and still less did the Resident ever inform him, that we would seize the Nagpore country at his death if he did not adopt a son.

31. If the Rajah, in answer to the suggestions of the Resident, had spoken to this effect, *viz.*, "I don't choose to adopt, because if I am not fated to have a son of my own, I don't care what becomes of my dominions; and the Company's Government is welcome to take them provided that handsome provision be made for my wives and adherents," we should have stood upon a very different footing from what we do now; but there was not the slightest indication of any such feeling on the part of the late Rajah of Nagpore; and the mere fact of his refusing to converse at all on a subject that was disagreeable to him, gives us no rights, according to my judgment, of any description whatsoever. It appears to me that, in a legal point of view, we are now, as regards Nagpore, precisely in the same position as if the Resident had never once spoken a word about adoption to the Rajah, and as if his Highness had been in the enjoyment of perfect health, and had lost his life, without a moment's notice, from a fit of apoplexy, or by a fall from his horse.

32. I now beg to notice some occurrences at Nagpore, which took place subsequent to the death of the late Rajah.

33. The death of the Rajah of Nagpore first became known to me by my having been obligingly allowed to see a private letter from Mr. Mansel, which mentioned that event, and some particulars respecting the general state of feeling among the people at Nagpore.

34. In that private letter I observed that Mr. Mansel alluded to the circumstance of "the people about the Court" being desirous that an adoption should take place of a successor to the throne.

35. A few days afterwards, there came an official letter to Government from Mr. Mansel, dated the 11th of December last, reporting the death of the Rajah and various circumstances connected with his late illness and funeral, etc.; but in that first official report, no allusion was made to any one desiring an adoption. This struck me at the time as being an omission which ought to be supplied, and I made that remark accordingly to the honourable Mr. Dorin, but as the latter gentlemen had just then received a demi-official letter from Mr. Mansel, stating that he would in a few days more send a long official report to Government on the state of affairs at Nagpore, I concluded that everything would be fully detailed in the report alluded to, and hence I saw no objection to the short letter of instructions then proposed to be addressed to the Resident, which was simply to the effect that he ought to preserve tranquillity, and not commit this Government in any way, as to succession or otherwise, pending further instructions, which would be issued to him on the return of the Governor-General to Calcutta.

36. Some days subsequently the expected official report from Nagpore duly arrived. It was a long despatch, but it did not contain an account of any conversations between the Resident and the people at the Durbar, respecting an adoption, or state on what grounds he had formed the opinion expressed in his original private letter, that the people about the court wished for an adoption.

37. That omission on the part of the Resident (if he did omit anything) made me regret that I had not, before the instructions to him were sent off, recorded a minute, similar in purport to one that I had previously wrote, and showed to my colleagues, proposing that the Resident should be called upon to report precisely any communication that may have passed between him and any of the courtiers in regard to an adoption. I had cancelled my original minute the day after I wrote it, because, on reflection, I thought it wrong to allude in an official record to information which had reached me by a private letter being shown to me, which I had not obtained permission to make use of officially.

38. I beg to state, however, that in the foregoing remarks, I am not imputing blame to the Resident for not having reported more specifically than he did, respecting any conversation that he may have had about adoption, because his despatch of the 14th of December is a long one, describing many details of occurrences, and I doubt not that Mr. Mansel thought that it contained everything that could be interesting to the Governor-General in Council. It seems also probable that very little was said by any one to the Resident about an adoption. His act of at once taking possession of the State must have overawed everybody, more or less, while many persons may have inferred from that act, so similar to the first act of Sir Richard Jenkins, when Appa Sahib was deposed, would be followed up in the same way, *viz.*, by the elevation of a new Rajah on the receipt of orders from Calcutta.

39. But be that as it may, it will be sufficient for my present purpose to make a few remarks of some of the circumstances which have been officially reported by the Resident.

40. It is evident from the 33rd paragraph of the Resident's despatch, dated the 14th of December, that we had ascertained the fact, that many of the leading people about the Durbar do wish for an adoption, because in that paragraph he states, that "Yeshwunt Rao Ahey Rao would decidedly be preferred by the mass of the courtiers to any other youth for the musnud, whether given to him by adoption or grant from the Company." And, again, in the 37th paragraph, after describing the scheme of an adoption of a Rajah who should be bound by treaty to attend to the counsels of the Resident, he adds as follows, *viz.*: "I believe that an experiment like that which I have shadowed out would best satisfy the people, placing them effectually under the shield of British protection, and leaving them to partial self-government."

41. With respect to the widow Bankee Bacc, it should be borne in mind that although she is the very person who, according to Hindoo usage, would have taken the lead under ordinary circumstances in adopting a successor, yet that she must have been greatly overawed by the Resident taking immediate charge of the Government, and by the presence of a British Army to support him in that act if any one had opposed him; but nevertheless, her sentiments were as distinctly announced to the Resident as could possibly be expected from a native lady of rank under such peculiar circumstances. I refer here to the concluding part of the 9th paragraph of Mr. Mansel's despatch, wherein he describes that Bankee Bacc volunteered not once only, "but occasionally" (in other words, several times) to "express her hope that the interests of the Bhonslah family would continue to be interwoven with the Berar kingdom."

42. I am convinced that the speech of the Bankee Bae above quoted meant nothing else than to say that her anxious desire is to be allowed to adopt a successor to the late Rajah ; and I therefore conceive that we are not entitled to assume that she is indifferent on the subject, or that she is ignorant of her rights merely because she has not spoken out more plainly on this occasion.

43. I also think it highly probable (but I don't of course state this as a positive opinion), that from the character which that old lady bears for intelligence and good sense, that she would readily and willingly have admitted of such limitation (and eventual penalties also) to the power of an adopted Rajah being inserted into a new treaty as would have secured us against any serious future misgovernment.

44. I much regret that I have written such long minutes on this occasion, thereby causing the trouble of their perusal to the Most Noble the Governor-General and others, which I should have been glad to have spared them ; but, unfortunately, I have not the power to write in a more concise manner on a subject of this kind, and at the same time to show with distinctiveness the grounds on which I have formed my opinions, but I shall now bring these too lengthy observations to a close.

45. Before doing so however, I beg to copy in the margin* an opinion recorded by the late Lord Metcalfe, in the minute dated the 28th of October 1837, when Lieutenant-Governor of the North-Western Provinces. On the general subject of our interfering in such matters of interior management in native States, as I deem it to be one that ought to have great weight in our future dealings with our native allies (meaning of course those of them only who have duly acted up to their engagements with us) ; and, I now conclude this minute by declaring that, adverting to all the facts and circumstances which I have described, it is my sincere and full belief that we have not, either by the treaty or from any other cause, a legitimate right to annex the territory of Nagpore to the dominions of the East India Company.

See below.

(Signed) J. LOW.

11 February 1851.

* " Those who are sovereign princes in their own right, and of the Hindoo religion, have, by Hindoo law, a right to adopt, to the exclusion of collateral heirs, or of the supposed reversionary right of the paramount power, the latter in fact, in such cases having no real existence, except in the case of absolute want of heirs, and even then the right is only assumed in virtue of power, for it would probably be more consistent with right that the people of the State so situated should elect a sovereign for themselves."

Minute by the Honourable F. J. Halliday.

I agree entirely with the Governor-General in this case.

Nagpore.

It seems to me that we have a clear right to appropriate the Nagpore territory, and that it is unquestionably politic to make the appropriation.

My honourable colleague, Colonel Low, denies both the right and the policy. We have, he contends, no sort of right to take possession of the late Rajah's country, and whether we have any right or not, it is clearly in his judgment impolitic to take it.

Colonel Low's opinions on all subjects are received by me with the greatest respect, and upon such a subject as this, I have not permitted myself to differ from him without the most careful examination of the reasons he has assigned.

On the question of right, I understand my honourable colleague to hold, that if the Rajah had really left his territory without an heir, that is to say, what he, Colonel Low, would have considered as a default of heirship, we should have had a right to appropriate the territory. But he announces a doctrine regarding succession to a Hindoo principality which, except as regards Rajpoot States, I never heard of before, which I am satisfied no Hindoo lawyer ever heard of, and which would make it next to impossible that any Hindoo succession should ever fail.

If ever there was a case in which a Rajah purposely and deliberately omitted to adopt an heir, this case of Nagpore is one; and equally certain and undeniable is the fact of the omission to adopt on the part of the only other person who can claim a right to do so, namely, the principal widow.

And the omission in each case, first by the Rajah, and next by the widow, is perfectly intelligible, and has been accounted for as set forth in the minute of the Most Noble the Governor-General, in a manner which carries conviction to my mind, and ought, I should have supposed, to satisfy the most doubtful person.

But Colonel Low is not content either with the omission of the Rajah or the omission of the widow.

As for the Rajah, he omitted to adopt, in Colonel Low's opinion, because he was unwilling to discuss with the Resident the probabilities of his having a son of his body.

But in the various cases recorded in the Parliamentary Papers on similar subjects we find no such disinclination evinced by princes similarly situated; and nothing, I submit, has been stated by the Resident in this instance which can give any colour to the supposition that the omission to adopt proceeded from such a motive. Nor can it fail to be remarked that, as no discussion was necessary on the subject but the Rajah, if so minded, might have adopted a son without any discussion at all, there is no clear connexion between the motive supposed and the omission for which it is sought to account. On the other hand, the reasons given for the omission by the Resident himself, who had the best means of knowing the real state of the case are easy to be understood, and account at once for the conduct of the Rajah in a manner which leaves no room for gratuitous suppositions of any kind.

That the widow omitted to adopt is so plain, that it can only be accounted for by Colonel Low on what appears to me the utterly groundless hypotheses that she was deterred from doing so by fear of the Resident. It is to be observed, that the whole narrative of the Resident evinces the most careful anxiety on his part to prevent any such apprehensions arising on the part of any person concerned. And even if the character of Mr. Mansel were not an ample guarantee that his acts were faithfully in accordance with his representations, we should have this further security, that the Resident was, as has been seen, favourable to an adoption, and therefore, if he erred at all in his demeanour towards the Rajah's family on this point, he was more likely to err on the side of his own opinions than on the contrary side.

But I believe he was, as he describes himself, perfectly fair and impartial; that he so conducted himself as to deter no one, least of all an experienced old politician like the Bankee Bae; and that there was the fullest opportunity given to the widow to have declared herself, if she had really desired to put forward her claim. And it is much easier to understand the reasons given by the Governor-General for her refusal or omission to propose an adoption than to suppose the presence of terror and coercion.

But even the clearest omission to adopt by the Rajah, and by his widow, would seem to be insufficient to satisfy my honourable colleague. He goes much further: "We have," he says, "no right to hinder the widows and relatives from settling the succession to the vacant throne according to their customs and wishes." And yet further still, "the widows and principal men ought to be invited to state their claims." Surely the Hindoo law of adoption was never pushed so far before; and certainly, if the British Government has no right to succeed to a vacant territory until not those only have been pressed to adopt, to whom the Hindoo law or custom gives the right, but also all other relatives of the deceased prince, and even "the principal men" of the State, there is an end to further argument on this score.

I can only say, that if the right of the British Government be in the judgment of my honourable colleague so weak as this, and the right of the relatives and principal men so strong, I am at a loss to understand upon what principle he can have proceeded to suggest to the Governor-General to take a fourth of the revenue of the territory instead of taking the whole; or how he can suppose that a deliberate abstraction of "12 lacs" per annum out of some 40 lacs will be a more moral proceeding than taking the 40, seeing that, in his opinion, we have absolutely no right to any.

Colonel Low's
first Minute,
paragraph 17.

Upon the question of policy Colonel Low has as little convinced me, as upon the question of right.

Here is a territory actually without even a claimant; a territory full of available resources of a kind important to the Government of India, and still more so to the people of England; a territory whose teeming population is avowedly hoping, praying, expecting to be taken under our Government as no imaginary blessing, but as a boon of which, having full experience, they know and appreciate the value; and at such a juncture we, forsooth, are to be deaf

to their call, and deaf also to the claims of our own countrymen, so deeply interested in the result, and to fold our arms and leave "the widow and relatives and principal men" to settle this affair; or still more, to invite and solicit them to take some spoilt boy from a nursery, or some obscure and uneducated youth from a village, and place again in such hands the rod of iron with which the late Rajah had so scourged the nationality out of his unfortunate subjects, that they are now impatient for the rule of the stranger rather than suffer such another tyranny. We are to fling away this opportune, may I not almost say providential right of succession, or give it as a thing of little worth to some "son of a daughter of a sister of the adoptive father of the late Rajah," or to some "son of a son of a sister of the adoptive grandfather of the late Rajah," for such is the definition of the relationship to the Rajah of the two youths suggested by the Resident, and of whom I may remark in passing, that one is said by Mr. Mansel to be a dissipated and violent youth, while the best that he can say of the other is, that he "has not suffered from any serious illness for the last three years."

And why are we to do this? Why are we to give up this singular advantage to the detriment of India and its government, to the detriment of the people of England, and to the unspeakable detriment and ruin of the people of Nagpore?

All Colonel Low's reasons for recommending such a course seem to me reducible to this, that we shall so terrify every ruler in India if we now take Nagpore, especially those rulers who have no sons, that as an inevitable consequence they will begin to oppress their subjects more severely than ever; and thus, though we may ease the condition of the people of Nagpore, we shall indirectly cause tenfold misery to the people of other States.

As to this, however, I would submit to my honourable colleague that all Mahomedan rulers will be aware that no feature in the present case can apply to them, seeing that they have no law or custom of adoption; and even my honourable colleague himself would probably consent to the succession of the British Government to a Mahomedan prince, if such a prince should leave no lawful heir behind him.

So also no Rajpoot prince could suffer any apprehension from this precedent because a different rule is avowedly allowed and followed in cases of Rajpoot succession.

These two exceptions would greatly curtail the list of princes likely to take any interest in the circumstances of this particular case; and of these last I should think that, if they drew from it any moral at all, they would draw simply this, that those who have no sons had better lose no time in adopting sons. For no Rajah will see in this case any reason for supposing that, if the Nagpore Rajah had made a lawful adoption, the Government would have set it aside.

As to the consequent oppression of their subjects, I fear it is very little likely to be affected in any way by the view which the Hindoo Rajahs may take of our succession to Nagpore. That, at all events, the absence of apprehension in the Rajah does not protect the ryots, might have been illustrated by Nagpore itself, for Colonel Low is convinced that the Rajah expected his widow to adopt a son; yet it is in evidence that he did not the less oppress and plunder his subjects.

In short, I can perceive no reasons against the policy of this measure, except such as may be drawn from the inevitable dislike to our succession, which will be felt by the greedy hangers-on of the late court, the ministers of the late Rajah's oppressive administration. I am far from underrating the importance of the disaffection even of such a tribe as this. But, in the present case, I am unable to put it in comparison with the great advantages of the annexation to the far more important class of persons affected by it, the industrious, commercial, and agricultural community of the Nagpore territory.

By such a judicious course of administration as the Governor-General contemplates, even the higher and hitherto more favoured orders will in a reasonable time be conciliated to our authority, and to the rest the benefit will be immediate and permanent. I, therefore, heartily assent to the propositions of the Most Noble the Governor-General, as at once just, wise and beneficent.

20 February 1854.

(Signed.) FRED. JAS. HALLIDAY.

Minute by the Most Noble the Governor-General.

Nagpore No. 2.

1. I have read with the deepest attention the several minutes of my honourable colleagues regarding the future disposal of the Raj of Nagpore. I regret to perceive that the opinion of Colonel Low wholly differs from those of the other members of the Supreme Government.

Notwithstanding the difference, and notwithstanding the weight which justly attaches to every opinion expressed by Colonel Low, I should have desired to adhere strictly to the rule against recording a second deliberative minute, which has been observed by the Supreme Council ever since I had the honour of presiding over its debates. I should have been the more content to abstain from further record, that the minute of Mr. Halliday, who followed Colonel Low in the discussion, has forcibly met the objections of our honourable colleague; but there is a passage in the minute of Colonel Low which compels me to add a few words to the record, in my own defence.

2. In the 33rd and following paragraphs of his second minute, Colonel Low has alluded to a private letter from the Resident, which he considers to contain material statements regarding an adoption, which do not appear in the official despatches.

It is well known to the Council that this letter was addressed to myself. It does not appear upon record; and as the allusion made to it might create (however unintentionally on Colonel Low's part) an impression that a letter had been kept back by me which ought to have been produced, I wish to explain why it did not appear upon record.

I did not record that letter, firstly, because there was not the slightest reason for recording a private letter, which was very properly circulated by the Private Secretary, Mr. Courtenay, during my absence in Pegu, as the first intimation of the unexpected death of the Rajah of Nagpore, but which became worthless when it was succeeded by a full official despatch. Secondly, because as a public man, I have protested, and protest now, against the quotation of familiar private letters in the presence of formal official despatches on the same subject. Thirdly, because there was nothing in the private letter which was not also in the public despatch.

3. Having thus explained why the first hurried private letter from the Resident was not made part of the official record, I annex a copy of the letter in order that all may judge for themselves of its contents.

Mr. Mansel, it will be observed, has stated in the private letter that "The immediate people of the Court and officials of the government of course desire adoption, but I have given no especial encouragement to the wish."

Mr. Mansel, in his despatch, December 14th, 1853, paragraph 22, says, "The subject (that is of adoption) has been one of much interest and anxiety to the court people, especially since the close of the Sattara discussions." Again, in paragraph 37, he says. "All connected with the late government will sorrow to see the Berar State expire, while the rest of the fraternity are permitted to live on."

These extracts will show that Mr. Mansel stated in his public despatch exactly what he stated in his private letter, namely, that the officials of Government and the court people at Nagpore desire to see the Raj perpetuated.

4. Everything for which Colonel Low contends upon that point may be fully conceded. I have never denied or doubted that the officials of the Government and court at Nagpore, the class which exists solely on its revenues and fattens upon its corruption, would desire to see a native successor. But I beg to recall to mind that this was not the question under discussion. The question under discussion was, whether any adoption had been made or proposed at Nagpore by the only two persons who were competent to make one, namely, the late Rajah, or his widow.

I asserted and I proved, that no adoption had been made or proposed by either. The Resident in like manner has stated, "the general question of the right of adoption does not appear to me to be involved in this case."

Mr. Mansel's allusion to the wish of the court officials, that there should be an adoption, has no bearing on the question of the right of adoption, which alone was in discussion.

5. Before passing from this point, I wish to correct a grave misapprehension into which Colonel Low has fallen, on a matter of fact very material to his argument. In paragraph 41, he speaks of the Baka Baee as "the very person who, according to Hindoo usage, would have taken the lead under ordinary circumstances in adopting a successor."

My honourable colleague is in error.

The person, and the only person, at Nagpore who could adopt a successor to the late Rajah, either by Hindoo law, or by Marhatta custom, or by the family usage, which Colonel Low has quoted from Mr. Jenkin's report, was the widow of the late Rajah. The Baka Baee is not the widow of the late Rajah, but his adoptive mother. Consequently, she had no right whatever in the matter.

6. Thus the facts bearing upon the right of succession, which I established in my minute, namely, that there was no adoption by the Rajah, and none by his widow, remain unshaken.

7. Colonel Low, however, contends that in any case an adoption and succession should be effected at Nagpore, and in support of this view he quotes the authority of Lord Metcalfe and others.

I have only to observe that that question was fully and formally debated by the authority which the Government of India obeys as its superior, and was decided in 1849, contrary to the view still maintained by our honourable colleague.

I adhere, therefore, to the conclusion to which I had come, namely, that whether it be held, with me, that there is no existing heir to Nagpore, either natural or adoptive, and that consequently this case is stronger than that of Sattara; or whether it be held, with Colonel Low, that there may be got an adoptive heir, and that consequently this case corresponds with that of Sattara, it is equally the duty of the Government of India to retain the lapsed State of Nagpore, as the principle laid down by the Honourable Court in 1849 distinctly requires, as strict justice would warrant, and as sound policy would suggest.

8. The question may now be finally considered in Council.

(Signed) DALHOUSIE.

22 February 1854.

Minute by the Honourable Colonel J. LOW, C. S.

I have just read the most Noble the Governor-General's Minute No. 2 on Nagpore affairs, dated yesterday. His Lordship has, I regret to find, mistaken my meaning on some points. The Honourable Mr. Halliday has mistaken me to a much greater extent, and has even supposed me to have actually made suggestions which I never intended to make at all; but I consider the Nagpore question to be now finally settled, and I therefore avoid any further discussion on the subject. I would not have even written these few lines, were I not anxious to apologise to the Governor-General for having, however unintentionally, unnecessarily caused extra trouble to him, and to assure his Lordship that nothing was further from my mind than that any person could possibly, from the way that I mentioned the private letter from Mr. Mansel, have ever supposed that his Lordship had kept back anything. Mr. Mansel himself, it struck me, might possibly be supposed (at the first sight of my remark by some one at a distance) to have unintentionally kept back some portion of his information that would have been interesting to Government, and, therefore, I explained in a subsequent paragraph that I did not impute blame to him.

I see now however clearly, that the mention of that private letter was an error. I can only say, which I do with entire sincerity, that I am sorry for having committed it, and that I shall take care not to fall into a similar blunder in future.

23 February 1854.

(Signed.) J. LOW.

Letter No 20, dated Fort William, the 4th March 1854, from the Governor-General of India in Council, to the Honourable the Court of Directors of the East India Company.

* Page 16 ante.

† b s t r a c t In continuation of our letter* No. 4, dated the 4th January last, we have the honour to forward the papers noted in the margin† relating to the State of Nagpore.

2. The important question regarding the disposal of this State, which, by the death of the Rajah without heirs, reverted to the British Government, by whom it had been granted to his late Highness as a limited tributary and dependent sovereignty, has engaged our most serious consideration; and we have now to intimate to you that, for the reasons set forth in the Minutes of the Governor-General, Mr Dorin and Mr. Halliday, it has been determined, on grounds both of right and policy, to incorporate the State of Nagpore with the British territories. To this measure our colleague, Colonel Low, has recorded objections in his minutes, dated the 10th and 11th ultimo, accompanying this despatch.

Letter No. B. O. 23, dated London, the 14th June 1854, from the Honourable the Court of Directors of the East India Company, Political Department, to the Governor-General of India in Council.

Paragraph 1. — In your letters* in the Foreign Department, dated the 4th January (No. 4) and 4th March (No. 20.) 1854, you report to us the death of ^{ante.} Raghojee Bhonsla, Maharaja of Nagpore; and that "it had been determined, of Nagpore. Lapse of the State of Nagpore." on grounds both of right and Policy to incorporate the State of Nagpore with the British territories".

2. We entirely concur in the view which you have taken of this question.

3. Nagpore was a principality granted, after conquest, by favour of the British Government, to the late Rajah, on hereditary tenure; and we have no doubt of our right, on the failure of legal heirs, to resume the grant.

4. The Rajah has left no heir of "his body"; there "is no male heir who, by family or hereditary right, can claim to succeed him; he adopted no son", and there is not even in existence any person descended in the male line from the founder of the Marhatta dynasty in Nagpore.

5. As to the policy of resumption, we agree with the Governor-General in opinion, that regard not more for the general interests of India than for the interests of the people of Nagpore themselves, "who have suffered under Marhatta rule and prospered under British Administration, forbids the maintenance of the sovereignty of Nagpore, now that it is in the free disposal of the British Government".

6. Colonel Low, who is opposed to the annexation of Nagpore, nevertheless quotes the opinion of Major Wilkinson, formerly Resident there, as saying that annexation "would be most beneficial and gratifying to the mass of the population, who desire nothing so much as to be placed under the British Government. And it is not a mere idle wish for change, for they have experienced the blessings of the rule of British officers; the only people who would regret the change are a few favourites about Court, and their followers".

7. In similar terms, Colonel Low himself fully admits that the great mass of the people will certainly be governed with much more justice than they ever were under late Rajah.

8. We are as anxious as Colonel Low that, so far as good Government will permit, public employment should be entrusted to natives of the country governed.

9. This we presume was the case when the State of Nagpore was administered by Mr. Jenkins, and we are glad to observe that the Governor-General has expressed an intention, "that the general system which existed under the management of Mr. Jenkins, with such entirely satisfactory results, shall at once be restored as the groundwork of our future Administration of Nagpore". We shall expect to receive at an early period full information as to the mode in which this intention is to be carried into effect.

10. We are well assured that you will provide liberally for the ladies of the late Rajah's family, and for all who may be able to establish a good claim to pensionary support.

Letter No. 880, dated the 7th March 1854, from J. P. Grant, Esq., Officiating Secretary to the Government of India, to C. G. MANSEL, Esq., Resident at Nagpore.

I am directed to acknowledge the receipt of your despatch, dated the 14th December last, reporting on the state of affairs in Nagpore since the death of the Rajah, and in reply to state that the most Noble the Governor-General in Council has resolved that that Principality shall become a portion of the British Territories in India.

2. You will therefore communicate to the Ranees, to the Ministers of the late Raja, and to the Chiefs of the Military and Civil Establishment of Nagpore, that the state of Nagpore in the absence of all heirs to the Musnud, will henceforth be retained as British Territory.

3. It would be premature at this stage to enter into any details respecting the future administration of the country. The Governor-General in Council has no hesitation, however, in determining that the general system which existed under the management of Mr. Jenkins with such entirely satisfactory results should at once be restored as the ground-work of our future administration in Nagpore.

4. The leading general principle laid down for the guidance of the Resident by the Governor-General, the Marquis of Hastings, namely, the "establishing plain, simple and efficient regulations on the basis of the ancient usages and laws of the country," is the principle which should pervade our future administration.

5. Liberal provision should be made for the Ranees, and the connexions of the late Boonslah family; full consideration should be shown for the interests of old and respectable servants of the State; and the Civil, and, more especially, the Military Establishments should be readjusted, with a steady regard to the contentment of those whose interests are involved, and to the preservation of general tranquillity, rather than to any immediate augmentation of disposable revenue.

6. The Governor-General in Council is pleased to appoint you Commissioner of Nagpore.

7. You will be so good as, with the best possible delay, to report the outline of the arrangements which you would propose to make for the Civil administration of the Province, with an approximate estimate of the cost thereof. You are requested, at the same time, to submit your views as to the amount of the Military force maintained by the late Raja which should be retained in the pay of the British Government with an approximate estimate of the cost of such force. In like manner you are requested to suggest the provisions, in the shape of life stipends, which you think it would be proper to make for the Ranees and others indicated above, as persons for whose interests the British Government ought, on this occasion, to show consideration.

8. In the meantime, and until further orders, you will continue to carry on the Administration as it is, through the existing officers and under the existing system.

Letter to Resident,
28th June 1854, paragraph 15.

Letter No. 10, dated the 29th April 1854, from C. G. Mansel, Esqr., Commissioner of Nagpur, to F. P. Grant, Esqr., Secretary to the Government of India, Foreign Department.

I have now the honour to acknowledge in an official form the receipt on the 12th ultimo of your letter of the 7th idem, communicating to me the decision of the Most Noble the Governor-General in Council that, in the absence of all heirs to the Musnud, the State of Nagpur is to become a portion of the British Territory.

2. The decision of the Supreme Government was communicated by me on the following day through the Provisional Council to Her Highness the Baka Bai, and the other Ranees, and the commencement of British rule was further notified to the other members of the Bhonsla family, to the Troops of the Paldee and Sonagaon Brigades, to the Soobahs of Districts and the chief Civil officers. The dependent Chiefs were also specially informed of the proceeding, so that it was at once proclaimed throughout the length and breadth of the land. No object appeared to me to be obtained by the use of further formalities, and it was just possible that the array of Military Force or the excitement of Civil processions might have caused a floating feeling of national regret to discharge itself in dangerous force upon any objects within its range.

3. Up to the present time no signs of disturbance have shown themselves in any quarter, and the feeling evinced by the soldiery, the followers of the Bhonsla family, the Ryots, the Gond tribe, and the dependent Chiefs, has been most peaceful and becoming on the whole, therefore I thought it preferable to retain, at any rate, for a season, the Kamptee subsidiary force, massed as it is, instead of proposing to distribute it in detachments over this extensive country where intercommunication during the rains is so cut off over our cotton soil cart tracts. At the close of the rainy season any part of the regular force that may be deemed necessary, can be moved without injury to the Sepahees' health and with convenience in other respects. In the meantime the Rajah's Irregular Troops are more than equal to preserving perfect national tranquility and to the suppression of dangerous crime, and on their fidelity to the existing system of things I have full reliance, with present kind usage and the prospect of future consideration for their interests.

4. Soon after the death of the Rajah, in December last, there was an appearance of increasing crime, but the excess did not amount to an alarming degree, and as circumstances have permitted the Berar officers to aid the Nagpur authorities in seizing the Hyderabad outlaws who trade in depredations upon the inhabitants of the left bank of the Wurdah, things soon settled down into a better form as of old.*

* The attack upon Lieutenant-Colonel Bremner, 41st M. N. Infantry, and family, on the 23rd December 1853 when en-route to Nagpur took place in the Edullabad part of the Nizam's country, 69 miles south of the Nagpur frontier.

5. The feeling of the people at change of the rule if conciliated in their sympathies and not harshly agitated by new measures is not a source of deep anxiety. The dependent Chiefs have come most into collision with the late Rajah. They are many of them in debt and distracted with family troubles, and if they enjoy kind treatment at the commencement of the new era they will not be otherwise than pleased under a superior who has no cause for jealousy of their semi-independence, and no need of sustaining his influence over their minds by the adoption of an occasional reign of terror. Circumstances have brought me a good deal into communication with the Chiefs of Kharande (the Kalahundi of the old maps), Bustar, Khyragurh and Khawardha, and the natural result of such intercourse must be to produce a feeling through its representative towards the British power of a character essentially kindly and grateful.

Feeling of the people at the change not a cause of alarm for the future if considerably dealt with.

6. The agricultural interest will generally prefer our rule to a system of fluctuating interference, and in this feeling the small shopkeepers will participate. But the Officers of the army, the Courtiers, the Priesthood, the chief merchants and bankers, who had dealings with the Rajah's Treasury and household, all the aristocracy in fact of the country see in the operation of the system that British rule involves the gradual diminution of their exclusive consequence and the final extinction of their order. Do what we will, mitigate the pressure as we best may, the dignities and emoluments of superior office flow gradually into the hands of European functionaries, under the unlimited operation of British rule. Whatever of mitigation is available for this state of things is found in the transition being conducted under the agency of an officer who was himself Resident at the Court of the Rajah whose kingdom now passes away from the Bhonslas.

The hard bearings of the change upon the aristocracy and their claims upon our utmost consideration.

In saying this I am reminded very forcibly of a remark made by Sirdar Taje Singh in the Punjab to Major Becher, that to the name and personal popularity of Sir Henry Lawrence we were indebted in the greatest degree for the submission and tranquillity that prevailed at the commencement of the Punjab administration.

7. In my despatch of the 14th December last I endeavoured to shadow out that the most popular form of government at Nagpur would be the combination of Durbar rule and the Resident's direct guidance, as reconciling the imperial duties of England towards India, the claims of the people to good government and the interests of the Bhonsla family. The decision of the Supreme Government as now carried out involves a provision of the two former objects, but it leaves the latter to be satisfied in a way which I would crave to further discuss and adjust with the Supreme Government, or it will be ill-intelligible and acceptable to the Bhonsla family and the aristocracy of the country.

Position and feelings of the family of the late Rajah.

8. The feeling of the family of the late Rajah appears to me to be a very personal one: they would prefer to retain the actual Musnud in the hands of some heir selected by adoption. But during Mr. (Sir) R. Jenkin's residency, the family were so accustomed to all substantive power being exercised by that officer, and under the late Rajah at different times there was so little independent action of Government in the

Personal objects of the family of the late Rajah.

Durbar, that the family if permitted to enjoy the privileges of titular chieftainship, and the solid income adequate to its support, would have deemed that they had lost what it was difficult for them to regulate and had retained what yielded the fullest and most certain amount of worldly comfort. The sacrifice of sovereign powers has or has not its mitigation to the family of any defunct Sovereign chief like the Rajah of Berar--Nagpur, just as it does or does not draw with it the total loss of princely rank and income.

9. In my communication with the (late) Durbar Vakeel, I was led to suppose at first that I should receive a formal representation from the Baka Bai and the eldest widow of the late Rajah, Anpurna Bai, on the subject of their claims to adopt an heir to the Musnud, they and their immediate advisers treating it as hard that their case should be finally disposed of without further formal communication with them. Partly I apprehend from their own helplessness, and partly from the disinclination of the most intelligent parties about the Court to engage in a course that may be deemed hostile or held offensive to the British representative, the ladies and other near relations of the late Rajah have not taken, as far as I can learn, any effective step to appeal in Calcutta or England against the orders executed by me. Nor has any formal representation on paper been submitted to myself. The desire to remonstrate or object to the absorption of the sovereign authority, seems to have died away or to be lying dormant, and all parties seem now desirous to take credit for abandoning the higher claims under the impression that he who was the late Resident at their Court has the influence to fix their personal claims on a scale of princely dignity as easily as could have been done a quarter or half a century since.

10. These claims amount to the grant of the titular Raj of the Bhonsla family to one of its members, the assignment of an allowance of a proportion of the State revenues for the family and chief followers, to the possession of the Palace in the City of Nagpur and to the selection of a landed estate as the source, or partly the source, to provide the income as fixed.

11. Having however now exhibited the present position of the country and the Court as giving neither any cause for alarm nor for the detachment of our regular troops, it will be more convenient if I postpone the further consideration of the subject last noticed whether as a personal appeal or as a public principle till the financial state of the country has been reviewed and the ways and means available for meeting all classes of charges have been discussed.

12. The following table exhibits a sketch of the past income and expenditure of the Nagpur State, to which is added a rough memo. showing the probable debt and recoverable arrears and advances at the end of the current local year in June next, 1263 Fuslee.

Revenue under the Rajah's Government.

	Fuslee 1252.*	Fuslee 1261.	Fuslee 1262.	Estimated 1263.
	Rs.	Rs.	Rs.	Rs.
Land Revenue ...	37,01,581	35,78,540	35,72,604	
Tribute ...	2,83,554	2,59,203	2,59,107	
Alkari (Excise) ...	1,77,478	1,77,616	1,71,619	
Pandhree (House tax, &c.) ...	76,645	72,254	72,306	
Saer (Customs) ...	6,43,079	6,56,133	6,29,233	
Sewae (fines, fees, &c.) ...	88,662	84,737	83,738	
Ayeen Duffa (interest on loans of grain, &c.)	87,524	74,404		
Mint ...	23,777	5,252	64,543	
Total including fractions ...	50,82,304	49,08,141	48,53,151	48,64,700
Company's Rs. ...	44,19,394			

The system of taxation was mainly the same under the late Rajah and under the management of Sir R Jenkins, Resident.

The exchange is taken at 100 Company's rupees for 115 Nagpore rupees, the outturn of the remittance to the Calcutta Mint in 1843.

Memo. of Public debt and set-off from current resources.

DEBT.	Rs.
Debt at the end of 1262 Fuslee (the late local year) ...	2,43,014
Amount drawn by the late Rajah's Officers by Bills against arrears ...	2,61,004
	5,04,018
Expenditure of 1263 Fuslee expiring on June 5th estimated ...	47,41,279
	53,45,208
Surplus less the amount of revenue of 1263 Fuslee not recovered ...	96,221
Nagpore Rupees ...	53,41,520

* The last year of Major Wilkinson's incumbency of the Residency.

Expenditure under the Rajah's Government.

	Fuslee 1252.	Fuslee 1261.	Fuslee 1262.	Estimated 1263 expiring on June 5th, 1854.
	Rs.	Rs.	Rs.	Rs.
Share of Gond Rajah ...	1,22,142	1,24,410	1,24,887	
Nemrukdar ...	4,82,211	4,17,472	4,35,131	
Deostan Dhurmatoo† ...	1,55,487	1,69,652	1,67,479	
Expenses of collection of Revenue and Police.	6,14,610	7,78,601	6,36,120	
Miscellaneous ...	14,016	26,394	27,872	
Khasgi or Court and Household ...	13,77,741	16,86,143	12,97,835	
Troops ...	13,61,390	14,55,852	14,25,572	
Tribute and Miscellaneous English Department.	9,15,998	9,18,026	9,39,014	
Total including fractions ...	50,43,598	55,76,553	50,53,914	47,41,279

* Jagirdars and Pension.

† Religious Grants.

Assets.

	Rs.
Cash in hand in the Public Treasury at the end of 1262 Fuslee ...	24,567
Arrears realized up to March	1,53,878
Arrears realizable	2,83,374
	<hr/>
	4,76,820
Revenue of 1263 Fuslee, estimated ..	48,64,700
	<hr/>
Nagpore Rupees ...	53,41,520
	<hr/>

Since this statement was prepared a tendency to improvement is found in the reduction of the expenditure counteracted only by the breaking up of such establishments as involves the payment of extra sums to effect a final settlement. In this however 1263 Fuslee is doing the work of 1264 Fuslee.

13. We may assume for the early future the maximum receipts at 44 lakhs of company's rupees. Doubtless under the operation of our British Revenue system the proportion of rent taken for revenue will be reduced and a fall in most existing settlements will take place. But there are some compensations in this adjustment and it is too early at present to calculate on a general result of loss. It should be our object, I think, to reform and improve but not essentially to diminish the income below 44 lakhs of Company's Rupees.

Scale of future expenditure
approximate sketch.

14 The charges that I propose to debit against this revenue are under the new system as follows :—

	Rs.
A.—Civil superior officers of districts, European and Native ...	1,75,000
B.—Commissioner and miscellaneous Civil and Military officers ...	1,75,000
C.—Local force of 3 Infantry Irregular corps at 800 men each, and 900 Police horse, the former working 6 station guns and commanded by European officers like the Sikh corps and the Punjab Infantry; the latter commanded by Resaldars, but subject to the inspection of Military Assistant of the Commissioner ...	7,00,000
D.—Grants of land and money to religious institutions and ministers to followers of the State and assignment to the Gond Rajah, the original Sovereign of part of Nagpur	4,50,000
E.—Allowances to courtiers and the higher Civil officers ...	2,00,000

	Rs.
F.—Military pensions for life to troops not re-enlisted ...	2,00,000
G.—Pensions to the household establishment called the Khasgi, including domestic slaves, Sillahdars, khas Ressalah ...	2,00,000
H.—Subordinate Civil Establishment and General Revenue and Judicial and miscellaneous charges ...	7,00,000
I.—Pensions to the old Civil establishment discharged in forming the new establishment of Head H ...	1,00,000
	<hr/> 29,00,000 <hr/>

N, E.—An allowance for district roads, vernacular education and district dawks to be raised by a percentage of 2 or 3 per cent on land revenue.

This exhibits a difference as compared with income of 15 lakhs out of which the allowance to the family of the late Chief and its State is to be provided :—

The gratuities, proposed amount to troops	8 lakhs.
Household or Khasgi ...	4 „
Civil district establishment ...	4 „
	<hr/> 16 „ <hr/>

or about equal to a perpetual charge of half a lakh per annum.

15. To the net surplus as above yielded is to be added the saving by abolition of the Residency, say 75,000 per annum, and by the option of removing from the Kamptee Brigade, first, a Company of European Artillery and a Regiment of Infantry, and finally a second Regiment of Infantry. Here is secured by the political change in the country a further positive saving of $\frac{3}{4}$ lakh more.

Option of increasing the surplus by reduction of the Kamptee force.

16. The first head of expenditure is the superior Civil establishment in charge of districts. The detail is as follows :—

5 Superintendents of districts—

3 first class at 1,500 Co.'s Rs. per mensem.
1 second class at 1,200 „ „
1 third class at 1,000 „ „

8 Assistants—

3 first class at 700 Co.'s Rs. per mensem.
2 second „ 600 „ „
3 third „ 500 „ „

$$11,500 \times 12 = 1,38,000$$

9 Extra-Assistants—

4 first class at 500 Co.s' Rs. per mensem.

1 second „ 300 „ „

1 third „ 250 „ „

3 fourth „ 150 „ „

$$3,000 \times 12 = 36,000$$

1,74,000 or say Co.s' Rs.

1,75,000 per annum.

Scale of pay of Commissioner and miscellaneous Civil and Military officers, 1,75,000 Company's Rs. B, para. 14.

17. The second head is intended to comprise—

	Per mensem.
	Rs. a. p.
Commissioner ...	4,166 10 8
Personal Assistant to the Commissioner or Aide-Camp. ...	500 0 0
Allowance to the Superintendent of Nagpur as Accountant and Treasurer of the whole country.	500 0 0
Assistant Civil Surgeon (the incumbent to draw his old Residency pay and Durbar allowance) in charge of the Civil station, the Rajah's hospital, Insane hospital, etc. ...	800 0 0
Military Assistant and Inspector of local Battalions and mounted Police ...	1,500 0 0
	<hr/> 7,466 10 8 <hr/>

Superintending Engineer, Executive officer on the road from Nagpur to Jonknudee, Surveyor of inland Navigation and Tank and Irrigation Engineer.

Surveyor of clearing grants and of lines of land communication with Mirzapore, Orissa and the Northern Circars, Geological and Mineralogical Surveyor.

	Rs. a. p.
Reporter on cotton cultivation and transport	
Superintendent of Breeding Establishment ...	7,166 10 8

$$14,583 \quad 5 \quad 4$$

$$\times 12$$

$$1,75,000 \quad 0 \quad 0$$

18. In proposing to form the country into five districts, I am naturally influenced by the consideration that such was the distribution of Civil administration under Mr. Jenkins, and that this form of things has continued down to the present day. The pay of a Superintendent in Mr. Jenkins' time was 1,700 Nagpur Rs. per month or 1,500 Co.'s Rs. is as little as can, I conceive, be allowed under the present state of things to the officers in charge of the more important districts. Indeed if I had not felt myself under the influence of the Punjab

Distribution of the country into districts—
Nagpur.
Raipur.
Chanda.
Bhandara.
Chhindwara.

system I should have proposed 2,000 Co.'s Rs. per month for the allowances of officers in charge of the chief districts. If we adopt however the lower scale the management of the Punjab affords a convenient standard for adjusting the distribution of office and its allowances at Nagpore. The pay of a first class Deputy Commissioner is there 1,500 Co.'s Rs. Pursuing that test of the efficiency and fitness of the proposed scale at Nagpore I may remark that Punjab Revenue including the Cis and Trans-Sutlej country is Co.'s Rs. lakh 201, while Nagpore is lakh 44 Co.'s Rs.

Then as the Punjab has—

so Nagpore should get :

29 Deputy Commissioners.
43 Assistants.
42 Superior Uncov. Assts.
Co.'s Rs. 7,39,200 allowed as pay to
Deputy Commissioners and Assist-
ants.
* 1 26,000 allowed as pay to superior
Uncov. Assistants.
8,65,200 total of the above 2 sums.

Proposed for Nagpore.

6 Superintendents	5
8 Assistants	8
9 Superior Uncov. officers	9
1,61,814 pay due to 14 inferior officers Co.'s Rs. 1,38,000.	
27,582 do. to Uncov. Rs. 36,000.	

1,89,396 do. together = 1,74,000
say 1,75,000

19. It will be observed that the number of Superintendents proposed is one less than the proportionate number due to Nagpore,

Proof of the necessity of having
at least five districts formed.

and that the total charge assumed falls well within that claimable by figured comparison. As too in the Punjab the intermediate grade of Commissioner existed under the Board of Administration, the responsibility of the office of Superintendent at Nagpore may be held to be greater than that of the Punjab Deputy Commissioner, and this is further exhibited by the financial consideration that the cost of the superior machinery at Nagpore is much less than in the Punjab as shown in the margin.† But while the charge proposed appears reasonable as compared with revenue, its economy is still more apparent when compared with Police and Judicial responsibility. If we assume Nagpore to have an area of square miles 76,432 and a population of 4,650,000‡ and if we deduct one-third of the former with one-fourth of the latter for territory held by dependent Chiefs whose revenues we do not collect we have a civil jurisdiction of say 50,000 square miles and 3½ millions of people. The average charges therefore of five Superintendents would extend over 10,000 square miles and 700,000 souls. Now I observe in the Punjab (I refer particularly to one division as excluding the chance of mistakes of calculation in dealing with statistics) that in the Lahore Division there are 5 Deputy Commissioners exercising duty over

† Force of Administration	1,50,000
7 Commissioners	2,31,000
	<hr/> 3,81,000

Thus if 201 lakhs cost 3,81,000, 44 lakhs at Nagpore should be assessed at 50,000, whereas this is represented by 50,000 Company Rupees.

‡ See page 128, 3rd Report
Commons Committee 1852-53.

13,248 square miles and 2,470,817 souls, which gives a jurisdiction of 2,649 square miles to each and 494,163 souls. The average area of districts upon the Afghanistan frontier of

* The pay of this class of men is not given in the Punjab report. I have taken 250 Co.'s Rs. per month as an average.

course is larger, but even in Seia it is less than at Nagpore. This subject might of course be pursued to great length, but the object that I have in view not being to illustrate a report by interesting and comparative statistics, but simply to refer to a summary mode of determining on the reasonableness of my general position politically and financially, I shall, I trust, have stated enough on a subject that is after all quite arbitrary. I may add that I have raised this scale of the superior Uncovenanted allowances partly to provide for some of the best officers of the late Maratha rule, but mainly because that for a time it may with reference to the great distance of parts of the country from Nagpore (Raipur town for instance being 180 miles to the East, and the frontier being 70 miles still further on in the direction of Sambulpore) be convenient to use native machinery on duties that elsewhere would naturally have been absorbed in a centralized European Establishment.

20. The remodelling of the size of the 5 Districts and of the Head-quarters of some of them may form the subject of future attention, but at present there are many conveniences in starting with the existing position of things, and to do well what we do now we depend upon the increase of information as to the character of the growing necessities of the future. It may be added that at Bhandara and Chhindwara towns there are good bungalows, and at Chanda some of the old buildings of Mr. Jenkins' time are still in use.

21. The provision of Military force for the security of the country is so intertwined with the question of civil administration that it will be convenient to review at this point the strength of the late Rajah's army, the state of the subsidiary force now cantoned at Nagpore and the scale at which I propose to fix the regular and irregular troops of the country for the future.

22. Two primary considerations of course offer themselves to view in this matter. What is the best form of organization for a force in this part of the Peninsula, and to what extent it is indispensable to give employment to the Rajah's troops as a measure of policy and economy.

23. It needs no argument of mine to prove that to mass troops into a Brigade command secures a far greater degree of Military efficiency than to distribute single Battalions and wings of Battalions over a large country, and if the main want of India was protection from foreign invasion the importance of massing troops in every practicable quarter would throw all other considerations out of view. But in Upper India and the Punjab our danger and trouble are greatly from within. We have to check insurrection rather than to oppose invasion, and hence the more that the regular troops are distributed over the country, especially where the population is physically bold and of martial character and above all not disarmed, the more the Civil Magistrate of each district needs to repose upon Military aid of the most perfect kind and the less use can be made of irregular levies, except where special and exceptional reasons exist to demade them, as on the Indus frontier and Huzara.

24. In the Nagpur country we have a population of motley race and of character, simple and peaceable, requiring little but a centralized force for its control. Even of a quarter of a century since the fixed military population about Nagpore City itself was inconsiderable, consisting almost entirely of Mussalmans and Rajpoots, who both together did not exceed 8,000 males of all classes, while elsewhere it was quite insignificant in numbers. The country is as it were the fungi of civilized life. The system of fixed leases granted to the heads of villages has, too, prevented the regrowth of the class of Arab and Rohilla followers whose services would otherwise have been required every harvest, like additional farm labourers at the settlement of the demand of the grasping talookdar, upon the fluctuating cultivation of each village. Thus whatever of deep anxiety exists, attaches to the Hyderabad frontier and the border of the Saugor and Nerbudda districts. If disturbance arose in the vicinity of Berar or in Central India some sympathy might be excited here on the Gond highlands, or along the Wardha if any pretender to the name of Appa Sahib, or other adventurer raised the standard of opposition to the Company and had present means enough to retain followers together in the hope of certain plunder and possible success. But against such a state of

A Force massed like the Kamptee Brigade best adapted under present circumstances to maintain the peace in this quarter, intertwined as it is with Hyderabad and Central India.

things a Brigade cantoned at Kamptee is happily placed. If forms, it may be said, a link in the chain that binds together Southern and Central India in their Military Government, and that very connection tends, in its completeness to the peaceful state which is natural to Nagpore, from being disturbed by exciting cause from without. As a measure of economy, a company of Artillery and a Native Infantry Regiment might, certainly, be spared without weakening, unduly, the Kamptee Force; and, if called for elsewhere, a second Infantry Regiment might be withdrawn, but till new circumstances rise up, I see every advantage in maintaining the British Force in its present position in good strength. It places a High Military officer alongside of the Commissioner for advice and action in the event of duty. Nagpore with an area larger than England and Wales united, and a population of near five millions, is too far from Saugor, I conceive, to be well combined with it in one Division. As it is, the Saugor Commander cannot every year make a perfect tour. I am informed of his range of duty. From Mhow to Nagode and thence to Nagpore, a circuit would be created of a most embarrassing kind. But at any rate, it appears to me expedient that the Brigade Command here should be declared fixed for the next two or three years.

24. The Kamptee Brigade now consists of—

Local force proposed to take internal duties heretofore performed by the Rajah's troops.

- 1 Troop European Horse Artillery,
- 2 Companies European Foot Artillery,
- 4 Regiments of Native Infantry,
- 1 Regiment Light Cavalry.

The hiatus produced by the partial reduction of this force and by the disbandment of the whole of the Rajah's troops as they now stand, I would propose to supply by the formation of 3 local Battalions of 800 men each and a Mounted Police of 3 Ressalahs or 900 men, the battalions to be officered like the four Regiments of Sikh local Infantry, and the Punjab Irregular Infantry force by

3 European officers each, and the Ressalahs to be placed specially under the inspection of an officer to be called the Military Assistant to the Commissioner.

26. The cost of this local force would be as follows: --

	Co.'s
3 Local Infantry Battalions, at say 1,25,000 ...	Rs. 3,75,000
900 Police Cavalry in 3 Ressalahs, say for each one lakh.	Rs. 3 00,000

Then add for Artillery two station guns to be attached to each Battalion.

	Rs.
1 Havildar at 14	
1 Naique at 12	
12 Privates at 7	
12 Drivers at 6½	
24 Bullocks' feeding at 5 Rs. each	308 × 12 = 3,696
Practice ammunition	304
Allowances to officer in charge for Stationery, Writer, etc., 25 Rs. per month × 12.	300
	4,300
For three Battalions	12,900
	6,87,900
	or say 7 lakhs

At present the Rajah's force consists of 1,872 Troopers and 2,461 Sepahees with four six-pounder Horse Artillery guns, and six Foot Artillery guns, two 6 pounders and four 9 pounders, against which the new levies will exhibit about an equal amount of foot and the half or so of Cavalry. In Mr. Jenkins' and Mr. Wilder's time with some variations the local force amounted to 2,000 Sowars and 3,500 Infantry and organized Police, which was of course independent as now of the subsidiary force stationed at Kamptee. A detailed distribution statement of the Rajah's force is given in the Appendix.

27. As an act of expediency as well as consideration for a large body of well disposed and indeed loyal troops I think it very desirable that our new system should absorb a good portion of the Rajah's Army. The re-enlisting of the present race and the hope of service held out to their sons and connexions is a great hold over the minds of

Expediency of making our local force an object of attraction to the respectable youth of the country as well as a place of provision for their fathers.

the class of people, who can everywhere make themselves troublesome if not dangerous. Some of the connexions of the late Rajah are already in service, and the more that we can keep open to this class of people the avenue to our Military service, the more is the unpopularity of our new rule diminished.

28. In dealing with the subject of the military management of a country,

Great importance in India of rivetting our hold upon a new province by dismantling Forts and disarming the people. Valuable tendency of these measures too socially.

I cannot omit to notice the importance of the principle of dismantling all Forts and of disarming all the population, at any rate within the area of the khalsa or revenue-paying country of an annexed Native State (as distinguished from that held by the dependent Chiefs) where the population is armed and Forts really exist.

To this measure more than to any other do I attribute the early security obtained in the Punjab. The habit of bearing arms cannot but give a martial tone to a people fostering indeed a spirit of lawless independence, of readiness to resist authority and a distaste for mechanical and agricultural pursuits. The habit is opposed to the peaceful settlement of a country and must lead to disturbances. Wherever it is intended to control a disorganized country overrun with military adventures, I know of no measure so necessary as to disarm the people. Most of the mud forts formerly built here by the villagers to resist the depredations of the Pindarees have fallen into decay, and the number of arms possessed by the people of all classes will prove, I am sure, wonderfully small; most may be found towards the Wardha in the villages connected with Hyderabad and among the Bunjaras and such like wandering tribes, but it will be well to recognize the soundness of the principle of disarming and dismantling within the khalsa territory, and I propose therefore to see pretty early after the rains to the formation of a Register of arms and of all village forts, and the bearings of the principle upon the such dependent States as may lie in the heart of our khalsa territory, or nearly surrounded by it, will not escape my attention.

29. The best form of giving adequate regulation and supervision to the

The inspection of the local Battalions and the regulation of the Mounted Police to be placed under an officer to be designated the Military Assistant to the Commissioner, and Inspector of local force.

local Battalions and the Mounted Police has, after much consideration, appeared to me to be the creation of an office of Military Assistant to the Commissioner on the consolidated pay of Co.'s Rs. 1,500 per month (as noticed in paragraph 14) and to this point I would desire specially to draw attention as being the one on

which the efficiency of the whole scheme of a local force does, I feel, turn. This officer will be to the Commissioner as his right hand, he will secure that attention to organization and unimpaired discipline on which the value of the force must rest, and will thus relieve the Commissioner of a weight of responsibility in details, which cannot devolve upon the Superintendents scattered over the country.

30. It would be best to discuss the details of organization with this

Importance of having Assistant Surgeons attached to the local Battalions as affording the means of medical attendance to the natives throughout the country.

officer before submitting them for approval to the most Noble the Governor-General in Council, but on one point I would venture here to press my decided opinion upon the attention of Government, which is, that an Assistant Surgeon should be obtained for each corps for its medical duties, and for the charge of the medical

duties of the Civil station where the corps was placed. I look upon it as all important in a new country, where severity to produce security is not needed to appear in as amiable a light as possible to our lately acquired subjects, and

I know of no means of doing it so certain and extensive as providing the highest educated officers of our medical service at our chief stations to afford gratuitous practice, especially surgical, to minister to the ills that suffering humanity is heir to, more especially in a remote country and among an ignorant race like the people of Nagpore

31. Our attention may next with advantage be directed to the circumstances growing out of the transition from an Oriental Government to the administration of the Company as affecting the interests of the present race of our new subjects and their posterity. It was the remark of one of the Sikh Chiefs to me in the Punjab "now that you English officers have reduced the present aristocracy to its level, what will you do for our sons." In the trying scenes that grow out of the fall of an existing form of power this seems to be the feeling uppermost in most minds: What is to become of our children, and can their future benefit be made to compensate for our sufferings. In dealing, then, with the transition from one form of Government to another we have to bear in mind that the past requires a maintenance of income and privileges, while the future requires new principles and fresh fields of action, an education in schools of more enlarged thought and of more general industry.

32. First, then, what is the principle that true expediency combining with justice, (and where indeed are they ever separated) suggests for the mode of dealing with the family of the deceased Raja. To arrive at this principle it appears to me desirable to discuss whether it is an object or not to maintain a class of men of princely rank in India. Now if we take Nagpur at present with a population of 5 millions or not very far short of that number, it appears to me very important to maintain in their eyes the rank of native nobility as part and parcel of the social, if not political, system of the country. The Indian native looks up to a Monarchical and Aristocratical form of life, all his ideas and feeling are pervaded with a respect for it. Its ceremonies and state are an object of amusement and interest to all old and young, and all that part of the happiness of the world which is produced by the gratification of the senses is largely maintained by the existence of a Court, its pageants, its expenditure and communication with the people; without such a source of patronage of merit, literary and personal, the action of life in native society as it is, and must long be, would be tame and depressing. The British Government cannot, it has been well declared, be other than a mild despotism, and among the means of mitigating the despotism of foreign rule I can conceive none more effective than the grant of titles of nobility and the maintenance of titular principalities. It is the bitter cry on all sides that our rule exhibits no sympathy especially for the native of rank and not even for other classes of natives.*

* In passing through Agra in the beginning of 1852 (a station where I had been Magistrate and Collector for the best part of my early official life), I could trace a feeling among the natives of being almost less cared for and appreciated than formerly. The evidence of Mr. T. H. Robinson, member of the Agra Board of Revenue, before the House of Commons Committee, is to the same effect as to the North-West Provinces.

It is a just but an ungenerous, unloveable system that we administer, and this疼 is peculiarly felt in a newly acquired country. It may be that we cannot recreate, but we may pause ere we destroy a form of society already existing and not necessarily barren of many advantages. Further, the improvement of the native Prince is within our own power. Sir Henry Lawrence in the Punjab I well remember as anxious that Mirjan Runbheer Singh, the son and heir of Rajah Goolab Singh of Cashmere, should pay a visit to England to enlarge his mind and improve his character; but somehow the measure was not carried out, and, of course, in India there are difficulties in the way of everything if we do not will that we are not to be baffled by them. We cannot transport whole masses of natives to Europe, but we can foster the existence of the class to which Runbheer Singh belongs and induce its members to visit Europe or otherwise improve them by liberal education. They would thus be centres from which improvement of mind, of feeling and action would emanate. This subject might be persued to great length, but it is sufficient for me to refer slightly to a range of arguments the character of which is known to all thinking men in India, whatever may be their personal opinions. The main energies of the public service in India are directed to, or absorbed in, the collection of Revenue and the repressing of rural crime, and the measures applied to the elevation of the native people are of little influence, while many of our own measures as in the absorption of a Native State (if we sweep clean the family of a Native Prince and the nobility gradually from the land) are deeply depressing on the national character and social system.

33. But the question of retaining a titular principality at Nagpur has another most important bearing I conceive; its bearing upon the interests and rights of the rest of the native Princes of India. To this I beg to be allowed to draw a prolonged attention.

34. The question whether a native Prince shall be allowed to adopt an heir, or his widow, to perform the same duty and rite, is involved in the greatest difficulties. The reasons for our refusal to allow adoption are not intelligible to the native aristocracy; on the other hand it may be said that the Sattara case settles the question in the minds of European functionaries as a precedent.* The public mind however in European circles differs in its views of the rights and expediency of allowing the custom. It is a very important question whether the allowance of a titular principality, with adequate income and state on this occasion, at Nagpur, would not pave the way to satisfying the advocates of adoption to abandon a claim so widely opposed and undeniably so involved in practical difficulties. Men like the late Sir R. Jenkins, Sir G. Clerk, Major Wilkinson and other similar-thinking parties might accept this as a middle measure as essentially providing for the personal interests of the family on the one hand, and on the other, treating the sovereign powers as a trust which could not be delegated under any debateable point of public or private law. In my arguments with the people here upon the subject, so soon as I

The bearing of the question on the interests of the other Princes in India.

The grant of a Princely title and of an income adequate to support its state suggests itself as a middle measure between absolute absorption and unlimited adoption.

* See Campbell's Modern India, pp. 145-170.

referred to the members of the family of a native chief, deceased, being put upon individual life pensions upon the absorption of a state, I have found them (though before not unsubservient to my own views or to the execution of orders from Calcutta as to the resumption of sovereign powers), fall back upon the law and rights of the case and contend that the treaty gave what we were arbitrarily taking away. At Nagpur I have always felt, as I have stated at length in my former despatch, that there was an option possessed by us to permit or refuse adoption. But mine was but the opinion of a particular party upon a case having two sides.

35. In my arguments, indeed, with natives upon the subject of the expediency and propriety of the British Government dealing with the Nagpur case as a question of pure policy, I have put to them the position that we had all of us, at Nagpur, for the last two years, found it impracticable to carry on the Government decently. I remarked that Major Wilkinson had, after a long struggle, succeeded in getting the Raja within his own influence, and by his fine sagacity and perfect experience had controlled him whenever he chose. Colonel Spiers, from his decaying health, was latterly unable to put much check upon the Raja, though his perfect knowledge of the affairs of the day here, and of oriental Courts in general, would otherwise have been most valuable. Major Ramsay pursued a course of uncompromising interference and, in a state of almost chronic disease, attempted a perfect restoration of health. Mr. Davidson, as his health grew worse, left the Raja to do as he liked, and under the argument that it was better to work by personal influence than by fear, he left the Raja to do as he pleased, with something like the pretence of an invalid physician that his patient would die with too much care and require gentle treatment. During my incumbency, I found the Raja so much spoilt by the absolute indulgence of my predecessor, that I was gradually driven to adopt either the radical reform of Major Ramsay or the extreme conservatism of Mr. Davidson, and in the struggle which latterly ensued between myself and the Raja his end was undoubtedly hastened by vexation at my insisting on his carrying out the reform in spirit as well as to the letter.

36. My own opinion is, that, had the same course of interference been carried out from 1840 to 1853 in an uniform kind and effective manner, much, or most, if not all, of this trouble would have been avoided.

37. The argument of the natives with whom I have frequently conversed on this subject, that the British Residents at Nagpur should participate in the blame charged to the Raja by myself, for if the same system of advice and check which was contemplated by the late treaty had been carried out from first to last, the Raja would never have been tempted into the habits of indolence and avarice that latterly made him make his own Court and the Hall of Justice a broker's shop for the disposal of official favors and the sale of justice. The answer to this is, that the British Government does its best, that it sends its

Course of policy of the different Residents at Nagpur Court of late years.

That policy not sufficiently consistent.

And the Raja's conduct in part excused by the natives on that ground.

highest servants to a Residency, and if the principles or abilities of the different incumbents vary, it is only natural and incidental to any colonial system in the world. The result however is that the management of the country gets into all kinds of embarrassment of debt, judicial corruption and irresponsibility of ministers when the readiest course is to resume those sovereign powers that were delegated in trust. In further continuing the debate, I find the chief natives reply "that assume the substance of the sovereign powers and bestow the title with adequate state and income on the family," and this is what native society they say would be content with. Such an arrangement would provide for all parties interested, the family, the courtiers and the followers, on the scale more or less equal to their former rank and allowances. The consent of all parties to the suit, if I may use such a phrase, would be purchased by such an arrangement and their discontent or reduced means would not be made a handle for unpopular animadversions on our Indian system of policy. It is further urged, by the Bhonsla family, that the Raja ever showed himself a well-wisher of the British Government and the English gentlemen, and that to apply so severe a punishment as the termination of the Princely title and rank of the race of Bhonsla, after its long connection with the British Government for nearly a century, is to make no distinction of treatment between the chief who has plotted treason, or raised the standard of rebellion against us and the family of a man who was really a devoted adherent to British interests, as Major Wilkinson emphatically speaks to in the troubled times of 1841—43.

38. There can scarcely be a more important question in India than whether the grant of a titular principality and an income to support it, in this case, would not facilitate dealing hereafter with other great Native States where no male heir, except by adoption, existed. They would not have to contend for life or death, preservation or extinction, but would see, in the settlement of the Nagpur case, that a deference to the views of the Supreme Government regarding adoption at Nagpur had led to the settlement of the family affairs, on a footing, not unbecoming the race that had once held the throne. If the Nagpur claims are disallowed to Princely rank and income, it will everywhere be felt that there is no medium between native rule and annihilation from aristocratic rank, and how far this feeling may embarrass our future measures it is judicious to calculate.

39. In my schedule of ways and means I have not entered any sum as proposed to be allowed to the family in connexion with the above views. The grant of an hereditary title of an inheritable estate and pension of the same character is what is hoped for. The object would be to have one recognized head of the family from whom the different members would draw their allowances. The title may be granted to any party of the male sex descended from the daughter of Ruggojee the 2nd, with remainder to others similarly descended by a grant from the Company, and the allowance might be a sixth of the revenues, or say 6 lakhs Company's rupees free from the allowances to old courtiers, and part being in land.

40. If however the Supreme Government is pleased to rule that neither

If money pensions are only to be granted to the family scale of them recommended for the Ranees and natuksalahs or concubines.

on the grounds of personal claims or public principle can the grant of such Princely title and allowance be made and that the family must one and all gradually descend into the rank of mere gentle people, I have then to state that something between two and four lakhs Company's rupees would seem to be the amount required for the personal pensions to the Ranees. Two lakhs seems low, advertence being had, especially to her Highness Baka Bai having been made Regent in 1818 on Mr. Jenkins' assuming the interior management of the country. Since then her expenditure has been pretty much what she liked to make it. She could scarcely now be allowed less than 1,20,000 Company's Rs. per annum. Half that might be given to the eldest Ranee and 40,000 to each of the other three, making 3 lakhs in all. If deemed too much it might be reduced rateably, while if it were desired to render as gracious as possible the refusal to grant a title and estate, the allowance might be raised rateably so as to amount to 4 lakhs. Beyond this, the widow of Appa Sahib, Savitra Bai, requires a separate provision, as do also the concubines, or natuksalahs of the late Raja. For the former 10,000 Company's rupees per annum will be a suitable income and double that sum is as much as other claims will admit of being assigned to the 7 natuksalahs. These ladies have been the main cause of the profusion of the Raja's expenditure of late years, and the retrenchment of it for the future will be admitted by all as but a measure of proper economy. One of the natuksalahs, Eydoh by name, has a living daughter by the Raja, and another daughter, now dead, has left a grandson to His Highness' care. If the allowance of 20,000 Company's rupees per annum were divided into eight shares, it would be a proper distribution to give Eydoh two shares, and one to each of the other.

41. The private treasure, about 20 lakhs (Nagpur rupees), the jewels

The jewels and other property held to belong to the family.

said to be from 50 to 75 lakhs (Nagpur rupee) in value, (but I shall be glad if on sale they yield half of the former sum), and the household property, not above a lakh in value, if we except stores that are being made available for public use, I would propose to leave with the family, to be disposed of by them, in such way as was most agreeable to their feelings and would be generally approved of by the courtiers and the native public. I should, of course, be happy to arbitrate if called upon in regard to any point or points the family may be embarrassed about. I apprehend that the general desire would be to throw the whole or the main part of the effects into a family fund to be held by one representative just as would be done in England in an entailed property, subordinate interests being provided for by a settlement. The right of the family, by the female branch, seems to me clearly as quite as strong as by the male to every thing but the possession of sovereign powers that a female can so ill-exercise except in a constitutional Government. Not apprehending that my view of this subject will be deemed to need any formal argument, I will make no further remarks except to say that I should be inclined, of myself, to hint to the family that the occasion would be a favourable one for linking their name to some valuable public work out of the large funds coming to them, like the building of a bridge over the Kanhan or the endowment of a college.

42. The next subject that
Grants of land and money to
religious institutions and persons.

	Rs.
Endowments	33,369
Religious and charitable stipends	1,13,683
	<hr/> 1,66,479

See Head D-para. 14.

calls for attention in our financial review (as continued from paragraph 11) is the maintenance of land and money grants held at present by endowments and religious persons or has charity. The amount is small and has been but little altered by the late Raja from the allowances granted by the Administration of 1818—26. The late Raja's taste lay rather in profuse extraordinary expenditure on particular holy festivals than in fostering or creating new endowments in support of religion. We may approach the subject of rent-free grants and money allowances here without the feeling that our enquiry will be involved in all kinds of doubtful sunnuds and of fraudulent assertion of possession. We have no doubt here as to the possession of the grantee, the terms of the grant and the rights of the grantor. As a general rule, I would submit that all endowments and money allowances included in the marginal entry should be upheld for the life of the present incumbents, and that on their decease the same should be continued to their representatives, provided that they duly discharge the duty for which the grants were made or were otherwise worthy objects of State bounty, with the proviso however that on failure of these conditions the state or allowance should lapse to the State for the formation of a fund to be held as a national provision for education and institutions of charity or benevolence. On the part of the State it should be specially guaranteed to the Nagpur people that this lapsed income should never be alienated from the designed purposes, though it would be open to the Government to modify the form of appropriation as the growing wants of the age called for. Responsible natives of different religious opinions might be well associated in the Board of Trustees for managing these funds, but such details need not be discussed before the adoption of the principle advocated.

43. It was the remark indeed of one* whose every view of men and things was philosophy itself, whether his subject of thought belonged to the East or to the West, that a statesman should (like the mechanic) watch for a power and avail himself of it in multiplying the means of usefulness; and in this light this profound thinker and pure philanthropist viewed the institutions of religion and education that had been handed down to the eighteenth century by the piety and bounty of early ages in Europe. In India, this power has always largely existed, and it has always appeared to me that we have been far too hasty in condemning its working instead of applying it to the new uses that the altered state of India should have suggested. The constitution of Mahomedan and Hindoo states led necessarily to the grant of new funds in the forms sufficient for a despotic Government for the purposes of religion, charity, benevolence and education; our responsibilities are different, but they do not deprive us of the means of adopting the results of past provisions for public and private objects to the principles formed by the action of present public opinion in Europe, and I would therefore most emphatically submit to the Supreme Government the advantage of now recognizing the value of a principle great in its remote influence, just in its present operation, and intelligible to the old as well as to the young for whose benefit it is designed to act. The unselfishness and wisdom of our proceedings in this measure is not left to be

* Burke.

misunderstood or interpreted at a distant time and amid the cloud of party argument, but is proclaimed as it were at once in a form seen and intelligible at least to each if not welcomed by all.

44. This* form of distribution has been retained as it reflects the existing

system of account and payment in the Phurnavis' office.

In it are comprehended the allowances in land or money to the relatives of the family, the followers of the State, the great Civil functionaries of the capital and assignments to the

* Jaghirs and allowances to the relatives of the Raja, the courtiers, the Chief Civil Ministers and the Gond Raja—see D and E paragraph 14, Jaghirs in the Country	...	10,3277
Cash paid to relatives and followers from the household or <i>kharagi</i> .	1,52,529	...
Chief Civil Officers	70,125	2,31,854
Allowances to Gond Raja	...	1,25,000
		<hr/> 5,60,151

Gond Raja. Generally I would propose that these should be upheld for the lives of incumbents, and when the allowance has been in the same family for more than a generation that it should be continued to a second life, the eldest son or other eligible party, as the case might be. Most of these grants existed in Mr. Jenkins' time, the provision in land or money to the aristocracy of the country having then undergone the completest revision and little objectionable increase or alteration having since taken place. A scrutiny of each item will however be needed when some items may be readjusted, but I should be glad if in anticipation of this detailed report I could be permitted to announce that all emolumens enjoyed for two generations would be continued for two lives while, all held only for one life would be continued at least to the holder.

45. The extent of these grants may appear large, but it is to be remembered that they are the income of an aristocracy at a moment when the sudden death of the Chief leaves his musnud vacant. We have here no rebellion as we had in the Punjab, and no conquest as we had in the Deccan, to throw more than half the aristocracy into hostility with us and to emancipate us from their claims upon us for aught but "dry & bread." They present the constitution of a Mahratta Court somewhat regulated and reformed by Mr. Jenkins and not much deteriorated since. Viewing, then, that we assume the management of the country on a construction of law far from generally admitted and that the force of our argument in that construction is greatly drawn from the expediency of doing that duty which Native Chiefs find it so difficult to discharge, I cannot but think that every consideration is due to the aristocracy of the fallen State, that it is a paramount object to conciliate their interests in favour of our fallen system of procedure, and that the applause of Central India and the Deccan which will await upon the generosity of our treatment is an object of importance to obtain.

46. It must, too, be borne in mind that this last absorption of the Nagpur

One cause of the extent of the grants to be found in the fact that half of the Nagpur State had previously been absorbed in the British dominions by cession.

principality was preceded by the measures of 1803 and 1817 which together left the Berar State shorn of half its revenues. Under Military penalties a moiety of this State passed over to the Company, and now the rest is declared to have lapsed to the same power. The State expenditure and the Military charge were latterly more adapted to the era of

* Burke.

† A native phrase applied to mere emolument.

1800 than to the means of the present day, and thus the late Raja has left us the legacy of providing for his Court and household out of resources on which the kasgée expenditure, even in his life, bore hard. But this must ever be the case where a country is obtained by construction lapse. Indeed the annexation of Sattara is noticed by the Court of Directors * as entailing a charge upon the revenues of India, of course only for a time, and Scinde has along been treated as financially a great embarrassment.

47. The following table will exhibit the features we have to deal with in disbanding the Raja's army.

Full and half pay pensions and gratuities to the discharged troops of the Raja—Head F. p. 14.

		Pay.	Deduct pay of officers and men assumed for re-enlistment.	Balance of these to be discharged.
		Rs.	Rs.	Rs.
Officers ...	881	2,84,506 $\frac{3}{4}$ rd	94,835	1,89,670
Troopers including Horse Artillery and body guards	1,878	4,88,814 $\frac{3}{4}$ rd	1,62,938	3,25,876
Sepoahes or privates ...	2,461	2,03,368 $\frac{1}{2}$	1,01,684	1,01,684
Band and pay office clerks.	164	27,768	...	1,01,841
Magazine drivers, &c. ...	868	74,073		
	6,252	10,78,529		
Contingent expenses of Ordnance, Commissariat, &c.	...	1,21,471		
Nagpur Rs. ...	...	1,200,000		
		Total Charges.		

Nagpur Rs. 7,10,071 or say —lakhs Co.'s Rs. in round numbers.

which is a reduction of the scale, as existing two years since, of $1\frac{1}{2}$ lakhs and produced by my pressure to bring income above expenditure. If then our local force is to amount to 3 Regiments of 800 strong each, 2,400 in all and 900 Horse, with Native Officers in proportion, I calculate that one-third of the officers, one-third of the Sowars and one-half of the Infantry may be re-enlisted. The proportion of old soldiers taken will depend a good deal on the feeling of the officers in charge of the local force, but if swayed as much as I could wish by my views they would reject as few as possible of the old soldiery who were really not unfit for service. This at any rate is certain that the prejudice in favour of smarter new men will tend to burthen the pension fund. But assuming the above scale of re-enlistment I would suggest that in respect to the pay of the remainder, say Company's Rs. 6 lakhs, in round numbers, we assign 2 lakhs for pension and 4 lakhs for provision by two years' gratuity. To the most influential of the officers not re-enlisted I would assign full pay and

* See Court's Financial Despatch, 18th June 1852, p. 269, Appendix to Commons Report, 1852.

to the rest two-thirds or one-third according to term of service. This would leave sufficient out of the 2 lakhs to pension the most deserving long termed Troopers and Sepahees. But in this, as in most Native Armies, horse-men's places or Asamies are held to a great extent by officers, thus one Ressal-dar owns 100 horses or Asamies in his troops, which yield him a profit of 8 rupees per month each, and as the service of these Asamies is held to follow that of their owner, it will be desirable to transfer as many of the oldest Asamies to the Police force as possible and retain for discharge those which have been but a short time by their Silladars or proprietors. The subject however is a delicate one and would require nice handling to prevent jealousy and dissatisfaction. Still as a whole I am prepared to say that two lakhs of pensions and eight lakhs of gratuity will suffice, and if this can be entrusted to my hands for disposal, I will adjust its allotment so as not to make further demands on this head upon the public treasury except upon supplementary proof of necessity to Government, pending which the present allotment might remain in abeyance if so directed by Government. I do not calculate on this necessity, but till the actual time for disbanding and re-enlisting armies I cannot hold myself to be exempt from slight error. The subject is of vital importance and I must therefore protect the public interest from the chance of injury by figured mis-calculation.

48. As great a boon as the Pension or Gratuity itself will be the sanction of Government conveyed to me that no Pension or Gratuity granted under these orders will be tangible by a decree of Court. Without this exemption the whole pensioned and gratuity receiving soldiers will be handed over to their natural enemy, the money-lender, for they are almost every one in a state of chronic debt, partly however caused by other fault than their own for when I came to Nagpur I found the Troops twenty months in arrears of pay, and this state of things had prevailed for many years except when the Resident did as I insisted on—compel the Raja to pay up the arrears. I beg that this exemption may be conceded to the soldiery or no money arrangements made by me on their discharge will secure us from discontent if not disturbance. The system too of money dealing between the Native banker and the soldier of a Native State is most grasping and is ensured from losses of this kind by the enormous extra risk premium taken in the high interest upon this class of loans and which to a great extent were repaid by deductions from pay at the Pay office.

49. This head comprises all the khasgi or court and household establishments, the miscellaneous Silladars or personal followers and the Khas Ressalahs—a sort of dismounted Palace-guard, the burden of the charges being that of the domestic servants and servants upon cattle. The total charge is about $3\frac{2}{3}$ lakhs of Nagpur Rupees, and is being drawn by about 6,000 persons. A large body of these attendants are a sort of dependants who in pure Oriental despotism would be called domestic slaves. They are the adopted followers of the Bhonsla House and have sacrificed to that position their original caste; a great number of them have been born in the service, and from

Indebtedness of the natural state of the army. How to secure the boon granted by our Government from being absorbed by creditors.

Pensions to the household establishments, called the khasgee, personal Silladars, Khas Ressalahs, &c., Head G, paragraph 14.

part of a table that I have directed to be prepared of the range of service of the classes of persons coming under this head, I find that out of 1,672 persons drawing Nagpur Rs. 25,099-7-8 monthly (in a year of 10 months) or say 2½ lakhs per annum,

359 were of families in the Raja's service for generations.

187 had served for life.

309 were of above 30 years' service.

426 were from 20 to 30 ditto.

391 below 20.

1,672

We have little occupation to give to this class of people. They are mostly the machinery of princely state. Some will find refuge with the Ranees, but a very large portion of the domestic servants must look to pension or gratuity as the means of future or present subsistence. As a rough guess we may assume that this 6,000 persons have five persons each dependent upon them, so that 30,000 souls here require provision of some sort. I would assume a pensionary support of two lakhs for parties drawing half of the 3½ lakhs of annual pay and I would assign four lakhs of gratuities for the rest. Of course it would be an object to assign the oldest of the followers to the Ranees.

50. It is best not to proceed beyond a general idea upon this head at present, as we have as yet European officers only to one district; and it is beginning to be felt that unless the pension and gratuity fund is largely burthened with the somewhat unproductive labourers of the Raja's Office of Judicial and Revenue administration, the subordinate Civil Establishment will be heavy and clumsy. It is an object second in importance but to the necessity of efficiency to retain as many of the old hands as possible. It is merciful and popular, but the system has long grown rusty. New responsibilities exact new energies and the old machinery works slowly and unharmoniously. The expectation of the future introduction of at least the spirit of Government Regulations and the anxiety of district officers to do as is done in Agra and Calcutta, will gradually tell upon the movement of business. We do not however as yet see our way absolutely in this respect; and the matter, which is indeed large enough to form the subject of a separate report, might lie over for a season. I may, however, add here that the Raja's Establishments, which will have to be represented by a recasting under ourselves, cost about 5 lakhs Nagpur Rupees.

51. I calculate roughly that even if our district officers are one and all animated by an anxiety to retain all the old hands possible, our remodelling of the above will cost a body of old servants upon the world who will be not too well cared for by a pensionary allowance of a lakh of rupees and gratuities amounting to 4 lakhs including, as this head does, 2,350 Municipal and local police, which will, I fear, require much weeding.

52. Having now closed my financial review, I proceed to refer briefly to the other points that require orders, or invite attention at this early stage of our occupation of the country connected with the principles of our Civil Administration.

53. First and foremost the question of uniting the judicial and revenue authority in one officer's hands presents itself, and in respect to this, I am most decided that these powers should not be separated at Nagpur. The country is newly acquired, the people are simple and ignorant, we have little wealth, and there can scarcely be said to be any proprietary title in the soil. We have litigation in plenty, but it has been fostered by the vicious system of the Courts here of late years, and with good management I expect it to decrease. As we advance in prosperity and wealth, when European settlers make a home in the country, as trade increases and private prosperity in land arises, we may require a division of labour in our administration, but at present its movements will be quicker and more popular if the date of its introduction is postponed. The officers who are to exercise these combined powers I would propose to designate Superintendents. That was the title given to the officers in charge of districts in 1818, and as it will conform equally well with the present system, it should be adopted I conceive. The designation of the subordinate officers may be Assistants and Extra-Assistants. The powers to be exercised by the Superintendent in the Criminal Department may be ordinarily 3 years' imprisonment, or fine of 200 rupees, but on certified qualification they should be extended by the Commissioner to the Sessions limit of 16 years. The power of the Commissioner should extend to imprisonment for life in other cases and to death in cases of murder or robbery by open violence accompanied by great atrocity. The powers of the Assistants to range correspondingly with those of the regulations, according to certified qualification, up to the full limit of Joint Magistrate. Petty criminal powers should be exercised by the Kumaishdars, as fixed by the Superintendent. Cases may be tried by the Commissioner upon the proceedings and the report of the Superintendent whenever circuit cannot be made.

54. In the Civil Department the Superintendent should be empowered to hear all suits of any amount and to refer to any Assistant or Extra-Assistant the hearing of any class of original cases, the appeal therefrom to lie to the Superintendent. Before the Kumaishdars, who here exercise the powers of Thannadars and Tahseeldars, suits of small amount might be instituted at the discretion of the Superintendent. The whole to be under the regulation, of course, of the Commissioner. More precision may be called for in this matter when our Native machinery is finally adopted and fixed. It is always a more difficult measure to graft part of a new system upon the old trunk, than to supply a new one altogether in a country where we found nothing before us but anarchy.

55. In a new country, and with a school of young officers, it is necessary to be cautious in laying down fixed rules. But generally I would propose to lay down here that no appeal should of right lie in criminal cases except on a point of law; and in Civil cases,

where the appeal was upon fact it should only be referred for retrial to the lower Court with or without the panel of a new jury. Appeals to establish a point of law being allowed of course to secure uniformity of law without any restriction. The crying evil of the system of our Courts is delay and perpetual rehearing of cases. More handling of the pleadings by judicial officers themselves, the hearing of suits *viva voce* and with full publicity and the putting parties upon their oaths would give far more satisfaction than at present, though the decision was summary and appeal barred.

56. One or two subjects might be noticed here in connexion with our system of Civil Justice—the importance of creating a Court of Insolvency and an office for managing intestate estates, or those unadministered to. Much of the misery and animosity of native life arises from these matters being ineffectually dealt with, or neglected altogether, out of Calcutta, by our law. I conceive that with great advantage the Superintendent of Nagpur might be declared Administrator-General for the whole country and be empowered to hold a Court of Insolvency for the same. In the former duty he should be remunerated by fees, and for the discharge of the latter he might draw some extra allowance of say 250 Company's Rupees per month. He might be instructed to act upon the spirit of our English Insolvency law as enforced in Calcutta, and the Commissioner might be empowered to lay down rules for protection of insolvents, or others largely indebted, under the old rule from arrest and attachment of property, where political circumstances demanded such a concession to the old soldiers and courtiers. The object being at once to clear off all of this class of claims by a process amounting to friendly arbitration or by the passing of a rule which being early made known and universally applied, could be excepted to by none if it was not approved by all. In anticipation of the final approval of Government, I propose to proceed at once upon these views, and the subject in detail shall be submitted again to Government so soon as a full shape can be given to our law and procedure in these respects.

57. In the Police Department there is one point to which I am tempted here to draw the attention of the Most Noble the Governor-General in Council, that is, whether we might not, at Nagpur, attempt the employment of one European Officer over the Police force of the City and suburbs, if not of the whole district of Nagpur Superintendent. I do not propose to rediscuss the vexed question of a Military Police as a whole, but I would simply propose that an officer, on the allowance of an Assistant, be selected to have charge of the Police of the City and perhaps of the district of the Nagpur Superintendent. He should have the Criminal Judicial powers of an Assistant and be especially in charge of the Police, its appointment, organization, dress and arms. Where completer organization could be given as to Jail Guards, it would be so afforded, and where it could be only given a slighter degree to the men employed mainly as a detective force, then the lower range of efficiency would be alone aimed at. I see no insuperable difficulty in the way of securing more efficiency from a better organization under an European

Suggestion to try at Nagpore the experiment of putting an European Officer in charge of the Police.

Officer. But it must be made the interest of the officer to reconcile, and not to create difficulties, and to secure this, the officer must be appointed by the local functionaries on the nomination of the Superintendent and the approval of the Commissioner. If the officer is to come from the Presidency with a letter of appointment in his pocket, I regard it as quite a chance if the scheme will succeed. And it is a subject of great regret that so large a force and so large an expenditure as belongs to our Police should not be better regulated and productively employed. The means that I have sketched I conceive to be adequate to giving a far higher tone to our Police than usually has existed since the junction of Magisterial and revenue powers has taken place in the North West Provinces, and I beg to recommend its trial at Nagpur under the conditions named, as unless the officer selected is to look to Captain Elliot and my approval as his title to office, I have no hope of being able to work the experiment to a certain successful result.

58. In the Revenue Department, though with the view of securing as much freedom of action as possible, as our knowledge extends and as our future principles of land assessment are defined, it has at present been deemed desirable to limit the grant of expiring leases of villages to one year. Yet in those states are tracts of country where deterioration has taken place to a serious extent, and where it is not possible to restore the property without new blood being infused into it, I would wish to be empowered to grant for such special cases leases for five years on such terms as might be best available. Generally our object will be to give as much uniformity as possible to our revenue leases, and in the course of next winter we may see our way towards the system for finally settling our revenue demand in the best cultivated tracts in Nagpur. But at present it would be advantageous to be armed with powers in respect to exceptional cases.

59. In finance matters there is one point to which I would wish to draw attention here, whether it might not be practicable to allow the Commissioner to submit an annual estimate for ordinary and extraordinary expenditure, and to permit him to incur all expense within that limit, subject, of course, to any audit of the Accountant upon vouchers of certified performance of work and payment of money. At present an application for building a Dak Bungalow, or repairing a bridge must go up to the Supreme Government. The fear of disapproval of each separate item acts to repress the submission of single applications. A few days since I should have liked to have detached a gentleman to open a communication with the boat building party of Major Cotton at the junction of the Indraver and the Godavery, and yet though no personal allowance was asked for I felt a hesitation in authorizing even the outlay of travelling expenses for an object of really much local interest and, indeed, importance. If in some shape a system of estimate could be adopted it would arm a local officer with a power that would multiply his interest and his usefulness in the country under his charge immensely.

60. It will be convenient here to refer to the powers required by the Commissioner for the settlement of the pay of the troops, the discharge of Pensionary allowances, the paying up the old establishments and for the payment of the temporary or provisional new ones, I would suggest that the Commissioner

Advantage of giving leases, for a certain term, of villages and estates much deteriorated to induce new parties to invest capital in them and restore them.

Principle of an annual estimate.

be empowered to pass all charges of this kind till the close of the year 1854. It would be convenient if, too, the Commissioner were empowered to pay a gratuity of 3 months' wages to parties discharged, without reference to the calculations of my general Financial Statement, the present power being intended to apply to minor and miscellaneous matters and persons.

61. It is not proposed at this early stage of things to enter upon a detailed examination of our fiscal system, our object being, as before stated, to preserve, as much as possible, the present amount of revenue if it be not to be improved. But one source of improvement I would recommend—the introduction of, say, the use of stamps. For a season, however, I would desire to be authorized to permit the use of stamps at half rates, as in the Punjab, to exempt law suits from being assessed with stamp duty as an experiment to be reported on hereafter on its result, whether favourable to rapid and popular decisions or not, and to relax the infliction of penalties for a time on the neglect to use stamps. It might be a question whether to counteract the unpopularity of introducing new taxes it might not be as well to farm the stamp duty so as to oppose one native interest by another and thus to secure our objects by balancing the action of the two. This however is merely an idea, and its further consideration requires time.

62. In paragraph 17 it will be observed that I include an allowance of 500 Co's Rs. per month to the Superintendent of Nagpore as Treasurer and Accountant of the whole country. This is an experimental office, and the object of it is to keep the district accounts of the four other divisions in the native character with native clerks, and to have the whole accounts of the country thrown into English at Nagpur, and submitted to Calcutta. The idea of this experiment was suggested to me by the late Lieutenant-Governor of Agra, Mr. Thomason, when I was a Member of the Board of Administration in the Punjab. He was dissatisfied that he could not find sympathy with his plan in the officers of account at Agra, and he pressed me to try it in the Punjab. I however then and there declined. The reason of my declining was that the duty of the Account Department was proverbially unappreciated in India, and I could not undertake, as one of a body with no separate power or individual means of influencing misfortunes, to guarantee the accurate working of a system which would be dependent on my personal interest in it and my power over my machinery for success. The objection does not exist here; and fully admitted the relief from work and economy in clerical establishment that will arise from the use of Native instead of European Treasury district accounts, I would wish, alike from deference to the late Mr. Thomason and from a desire to test at Nagpur the applicability of any new valuable principal to Indian Administration to try the experiment here. It might be sanctioned for two years, its continuance depending on a report of its success from the account office in Bengal and our own at Nagpur. The Superintendent of Nagpur would have to be gazetted Accountant and Treasurer General of the Nagpur country.

63. On this subject of a Code of law, Civil and Criminal, I propose to address Government hereafter. The Punjab Civil Justice rules will answer very well for that department at present, and Mr. Jenkins' system in the Criminal Department may be maintained for a time. It would be, however, a useful occasion to compare the Bengal,

Madras and Bombay codes with the principles of the *lex loci*, the best received views of the present day in Criminal Jurisprudence, and Mr. Jenkins' system, and devise a new code from them all for Nagpur. To use an effective phrase in use in the present day, it were but "a great sham" to declare Mahomedan law, however modified, the basis of the Criminal Judicial system of the Hindu Raj of the Bhonslas.

64. I must reserve, too, to a future occasion my notice of the position of the dependent Chiefs or, as they are locally termed, Zamindars. the dependent Chiefs who occupy probably one-third of the country in area. They are very ignorant, very well disposed, and politically give very little trouble. Conciliation and kindness is what they mainly care for. The difficulty of their management arises from their internal family disputes and their profuse expenditure creating a chronic state of debt.

65. Having now reviewed the chief machinery and the main principles to be adopted in our new Civil Administration, I propose to refer slightly to some general views for largely influencing our advancement of the country in wealth and industrial happiness. First and foremost I would refer to the creation of private property in land to a greater or less extent as the most valuable boon that could be bestowed on Nagpur. We seem really to go on in India from year to year, and from decade to decade, without making any marked advance in the improvement of the country. I myself spent the best part of my official life in one district, Agra, and I really believe that I left it poorer and more distracted socially than when I came into it 15 years before, and I was not, I trust, wanting in efforts to improve the people and district. Since that time the Ganges canal has excited great attention and may be held to be a lasting work of great value in the best direction. But the people do not advance away from the Presidencies, where education, wealth and employment of high order are found. Thirteen years since when I quitted Agra it was with the feeling that the creation of private property in land—to commence the creation of it, was the grand lever for raising the people; and every view of my life since has tended to confirm me in my original conviction. If, as a commencement, five per cent of the revenue-paying area in a district were allowed to be alienated at 25 years' purchase of the Government demand or jama (and considering the saving in the charges of collection, Government would be no loser by accepting this rate) many persons would be induced, I conceive, to purchase many small and some large estates for investment of money when consols were at or near par in England and $3\frac{1}{2}$ per cent loan was open in India. Anything effectually done in the way of improving Oomraotee cotton must be done I conceive in this way.* We have otherwise no hold over the country and there is no interest at work capable of making laborious and uncertain outlays. So far as I see my way here at present there would be no difficulty in adjusting the compensation for tenant right. All that is needed is the approval and sanction of Government. I would suggest that an immediate survey be ordered of estates available for sale. Part might be in cultivation, but mainly uncleared tracts should be exposed to sale. Twenty-five years' purchase of the Government jama would be enough for the former and about Rs. 5 per acre for jungle

* N. B.—Of course the disturbance in the money market produced by the war does not affect any position which applies to a state of peace.

tracts rising, perhaps, to something more when the country, though uncultivated, was open. These details would form the duty of the Surveyor to ascertain and record. Of course, if the proposition cannot be listened to by the Supreme Government it is worse than useless to speculate here further upon it. But as far as my capacity for judging goes, there is no means so ready and certain as the creation of the fee simple in land in private hands for bestowing any improvement upon India worthy of our high name and unquestionably honest aims.

66. Next in importance to the creation of private property, is the boon of national education. It appears to me that it would be a measure most opportune and worthy of our fame to commence our new rule here by the building of a handsome College and its liberal endowment. More especially should the education therein be directed to Civil Engineering and the industrial arts of life. To make men better and wiser we must render their interests subservient to our policy. It is useless to raise up a generation of petty clerks or a few Revenue or Police Officers. We want to improve the mass of the people and to facilitate their engaging in the avocation of trade, manufactures and agriculture, and in the sciences ministering to their improvement in India. It is enough here if I solicit leave to submit a scheme for the endowment and building of such a College at Nagpur as shall be a national institution, to spread its influence over the whole land and its name to the remotest villages of the Deccan.

67. While however we are designing to teach the rising youth the elements of Engineering science, we should indeed found a school for improving their parents and the Nagpur world at large, if we were prepared to lay out on Public Works a large sum of capital to be represented by a perpetual annuity upon our revenues of 2 or 3 lakhs. Nagpur now is almost an island. We are cut off from reasonable communication with every quarter of the compass. Our Deccan road is certainly being surveyed from Kamptee to Jubbulpore, and had Captain MacDonald lived the metalling of the road from Wardha to the Bombay districts would not have been without a powerful advocate. But unless something is done the most precious opportunity will be lost, and the support which the public mind will now give to an enlarged scheme of Public Works here would die away. A metal road from the confines of Ahmadnugger to Cattack through Nagpur and Raipur would connect the two sides of the Peninsula and would form the basis for branches to Jubbulpore, Amraoti, Mirzapore, Calcutta and the Northern Sircars. Our cotton and lac, the salt of Bombay and Chicacole, the grain of Chhattisgarh, and the cloth of Nagpur, all the produce we cannot sell because it is so charged with carriage, and all that we cannot get to consume because we cannot make cheap returns, would pour itself out and in by new routes and new roads. Our minds would be improved by quicker and cheaper modes of travelling. New settlers would come in upon us and do what no Government can alone ever do to improve our ignorant, superstitious and, as to many classes, unenergetic population. A settlement might be formed upon the Mahanadi to secure the restoration in that quarter of the prosperity that once existed there, and to lend its energies to create an entrepot on its banks as near as possible to Raipur for

using the navigation of that fine river in an exchange of the raw produce of Chhattisgarh with the salt of the coast of European goods from Calcutta. Nor should the claims of the Godavery be overlooked. A survey of its tributary streams in connection with the experiments of the cotton might be ordered at once, and the practicability of using the Godavery for the shipment of Berar cotton examined and laid before the Indian World. The public mind in this quarter is much excited on this subject, and it would be much disappointed if some early measures are not taken to assist Major Cotton in his proceedings to test the navigability of the river by steam or cargo boat from this quarter.

68. While facilitating the export of our raw produce it is but part of the same principle of improving our resources to apply our scientific skill to a survey of our own mineral treasures and of our means of improving Irrigation. The appointment of officers to these duties is specially referred to in my schedule of establishments. We know not how much hidden material value and new productive power we have lying at our door. The survey of clearings referred to before for the sale of land might be well carried on in connection with the irrigation, engineering and the mineralogical survey. The completion of the geographical survey, of which 24,000 square miles was finished up to 1830, might be put now again in train, and it would much facilitate our enquiries alike for improving the condition of the people and our commanding the treasures of nature.

69. While our attention was directed towards these general subjects, we must not forget the city of Nagpur, its wretched drainage and unhealthy air. A topographical survey for improving the old streets, if not for making new ones, for ornamenting the city by the erection of some useful works of art like a central reservoir of water for giving public gardens to the inhabitants, and such like measures, would mark at once in a visible form to the malignant classes who hate us and to those who, if they do not hate us, do not love us, that we have, along with the high aims of policy, consideration for those feelings and wants of man which make up for more than half his happiness or misery—for, in short, his social and domestic life.

70. I believe that I have now nothing more to add to this rapid sketch of our future policy at Nagpur to secure our firm hold alike over the fears of the country and the affection of its people. They are now very susceptible to the display of kind interest in them and of public measures affecting their prosperity. They expect much from the high tone assumed by many in support of our own system of government and in depreciation of Native rule. I have endeavoured to lend all the earnestness and energy of my character to the vindication of the policy of our Government.

71. On one further point only, and that far from a personal one, I would wish to say a few final words. The position of the officer appointed to the Commission, the constitution of the country, should, I would submit, be that it be governed by the Governor General in Council; that the Commissioner should be appointed Agent to the

Such a scheme expressly contemplated in the schedule of miscellaneous Civil Officers in para. 17.

Public Works needed in the city of Nagpur.

Native public here very susceptible of impression at the commencement of our rule.

Constitution of the Commissioner's office referred to.

Governor General, and be declared, as far as the present incumbent of the office is concerned, entitled to the same salute, privileges of escort, &c., as he was entitled to while Resident at the Rajah's Court. The Head Engineer appointed to the country should be independent, I conceive, of all superintendents from any Presidency. The central position and the novelty of affairs here require, I conceive, this independence of action in the officer on whom more than on any one else, the good fame of our own country and the happiness of this great Province does in truth depend. The sudden lapse of the throne and the habit of the people here of looking for everything in the way of amusement, charity, state, &c., to the government or its representative will place within the range of the Commissioner many opportunities and necessities for incurring durbar expense. The very hunting establishments of the country were maintained and lent out by the Rajah. I would submit that the Commissioner should be allowed to charge in his toshuk khana or Durbar charges a sum not exceeding 1,500 Nagpur rupees per month for the entertainment of the European and Native public, for charity; for khiluts, extra establishment and generally for supplying that gap in ministering to the pleasures and gratification of all classes that the death of the Rajah has made at Nagpur.

72. As a subsidiary force my connexion with the Kamptee troops is now closing, but my feeling of regard for that body of men in whose discipline and willingness I was ever enabled to rely with perfect security in the event of trouble within or beyond the Berar-Nagpur frontier, will close only with my life, and as a complement to the force I would solicit from the indulgent kindness of the Most Noble the Governor General in Council that half the junior appointments to the Commission be bestowed upon qualified officers of the force, one or two to each of the Regiments and detachments of Artillery that have served here during my incumbency.

73. While thus endeavouring to discharge my obligations towards the Nagpur Subsidiary Force, I must not forget to record in a few other last words my sense of the services of those instruments that I indirectly employed in my endeavours to restore a healthy tone to the administration of the country during my two years' charge as Resident, and that I have directly continued to employ ever since in preserving peace and order in the country. Some acknowledgment of their services from the British Government is fairly due, and I would suggest that, in addition to their ordinary allowances, I be allowed to grant life-Jaghirs or Pensions to the extent of 15,000 Co's. Rs. per annum among the individuals noted in the margin* as a special reward for their

Purbat Rao Co's. Rs. 5,000
Jumal-ood-deen „ 5,000
Ganpat Rao } 2 Brothers 5,000
Madho Rao }

services, and encouragement to others to follow their example in similar exigencies of our authority. These favours might be conferred upon them with a khilut from the Durbar property with a title. I will not here detail the long and weary task we have had, all of us to try and give a new character to the Nagpur Administration. The failure of our aims may not assert any special credit for myself as a successful diplomatist. But the struggle for principles as demanded from the Rajah by the Resident, the zeal which animated it on the part of these followers of this State, must be appreciated by all, and it would be ungrateful in us not to recognize and reward.

*Extract Minute by the Most Noble the Governor-General,
dated 10 June 1854*

IV.—THE BHONSLAH FAMILY.

20. The Commissioner concludes an elaborate disquisition upon the "principles of reconciling the past with the future, in a change of Government from Orientals to Europeans," by recommending the creation of "a titular principality," in Nagpore, as a measure which would be acceptable to "men like the late Sir R. Jenkins, Sir G. Clerk, Major Wilkinson, and other similar thinking parties." And he advises that the titular Raja shall have an hereditary title, an hereditary estate, and an hereditary income to the extent of one-sixth of the revenues of Nagpore.

Paragraph 38.

Paragraph 34.

Paragraph 39.

21. I feel compelled to say that I have read this proposal which has been put forward by the Commissioner with surprise and dissatisfaction.

The principle which should regulate the policy of the Government of India towards the native princes of India, is a matter of the highest moment. It would have been natural and proper for the Resident to have brought that principle pointedly under the consideration of the Governor-General in Council at the time of the death of the Raja of Nagpore, and it would have been of great advantage to the Government that he should fully and frankly have stated his own opinion thereupon. The principle was one which called for the gravest and most mature deliberation upon the part of the Supreme Government. Accordingly it was long and anxiously debated, both upon record and in the Council Chamber.

But when the Government of India had, in the exercise of its conscientious judgment, pronounced a formal decision upon the principle by which it considered that its conduct ought to be governed in the case of the principality of Nagpore, and when it had officially informed the Resident that it had "resolved that that principality" should "become a portion of the British territories in India," all my colleagues will concur with me, I think in feeling that the Commissioner ought not, in his reply, to have straight way proposed that a principality should be revived in Nagpore, and that a Raja, with hereditary title, income, and estates should be created there. My colleagues, I think, will share my surprise that, in full personal knowledge of the sentiments of the Supreme Government, the Commissioner should now advocate a policy diametrically opposed to its declared views; and they will partake in the dissatisfaction with which I regard the adoption by this officer of a course which, perfectly well surmised as it will be by the Bhonslah family, will unquestionably persuade them that the declared decision of the Government of India regarding the principality of Nagpore is not a final one, and will keep alive hopes in their minds, whose ultimate disappointment can only serve to aggravate the mortification they have already suffered.

22. In the former discussion I stated fully the reasons by which I was led to object to the creation of a new Raja as the ruling sovereign of Nagpore. I object now, for different reasons, but not less strongly, to the creation of a mere titular Raja, and to the perpetual alienation in his favour of one-sixth of the revenues of Nagpore, a measure which is proposed by the Commissioner, on the poor ground that "the Indian native looks up to a monarchical and aristocratical form of life;" * * * that its "ceremonies and state are an object of amusement and interest to all, old and young;" and that "all that part of the

Paragraph 32.

happiness of the world which is produced by the gratification of the senses, is largely maintained by the existence of a court, its pageantry, its expenditure, and its communication with the people."

23. Having expressed my own decided opinion that the Commissioner's proposal for the creation of a titular principality in Nagpore is incompatible with the recent decision of the Government of India regarding that country, and inadmissible in itself, I proceed to consider the provision which the Commissioner proposes for the "Bhonslah family," if there should be no titular principality created.

This provision consists in a stipend of 1,20,000 rupees a year to the Baka Bace, 60,000 rupees to the eldest Ranee, and 40,000 rupees to each of the other four Ranees : 10,000 rupees to the widow of Appa Sahib, and 20,000 rupees to other ladies of the zenana.

Paragraph 40, 14.

Besides these stipends, the Commissioner proposes that the treasure and jewels, amounting together to the estimated value of from 70 to 95 lakhs of rupees, should be left with "the family," to be disposed of by them "in such way as was most agreeable to their feelings, and would be generally approved of by the courtiers and the native public."

24. In the despatch of the 7th March, the Government of India informed the Resident that, liberal provision should be made for the Ranees and the connections of the late Bhonslah family." The concessions, however, proposed by the Commissioner appear to me to go beyond what would be approved by the Court of Directors, even under the instructions quoted above.

In 1848, the Raja of Sattara died, and his territories lapsed, as those of Nagpore have now lapsed, to the British Government. The Raja of Sattara was the head of the Mahratta tribe, of which the Bhonslah family was a recent and subordinate branch. The Ranees and the adopted son were allowed to retain jewels, &c., to the value of 16 lakhs, and landed property worth 20,000 rupees a year. Pensions were also granted to the three Ranees of 45,000, 30,000, and 25,000 rupees respectively.

Yet, although the Sattara family was of far higher rank and dignity than the Bhonslahs, and although the provision conceded to members of it was much less than that now proposed by the Commissioner, the Honourable Court, while they declared their desire "to provide liberally" for the family, and their wish that the "ladies should retain jewels, furniture, and other personal property suitable to their rank," still objected that the grant of "so much property, which was fairly at the disposal of Government," was greatly in excess of what was required.

Adverting to these remarks of the Honourable Court, I apprehend that so profuse a provision as that suggested by the Commissioner would certainly not meet with the approval of the Honourable Court, especially when made in favour of the widows merely, and in the absence of any adopted child.

25. It is not, I think, desirable that the property which the Honourable Court has considered to be "fairly at the disposal of the Government," should be alienated from the family ; but neither should it be given up to be appropriated and squandered by the Ranees.

I would, therefore, propose that jewels and furniture, and other personal property suitable to their rank, having been allotted to the Rances, the value of the rest of the jewels, &c., should be realised, and that the proceeds should be constituted a fund for the benefit of the Bhonslah family.

As the Commissioner seems to think that the value likely to be realised has been over-estimated, the Government should be prepared to make up any sums that may be wanting to afford adequate stipends to the family.

Adverting to the high rank and consideration of the Baka Baee, to her former position as regent of the kingdom for many years, and to her great age, I am disposed to allot to her the large income of 1,20,000 rupees a year proposed by the Commissioner.

Referring to the precedent of Sattara, a stipend of 50,000 rupees to the eldest Rane, and one of 25,000 rupees to each of the other four Ranes, would, I think, be liberal allowances.

The sum of 10,000 rupees to the widow of Appa Sahib, and of 20,000 rupees among the other ladies of the zenana, may be approved.

The cases of the illegitimate daughter of the late Raja and of his illegitimate grandson should be separately considered.

26. In dealing with this question of provision for the Bhonslah family, it must always be borne in mind that there is now, properly speaking, no Bhonslah family at all. There is no male heir existing of Raghojee Bhonslah, or of any of his successors. There is no male of the name of Bhonslah in life, far or near, collateral or direct. Those connected with the Bhonslah family, who do exist, are all the progeny of daughters of that house, and consequently are all members of other families which do not bear the name of Bhonslah.

Letter No. 2862, dated Fort William, the 30th June 1854, from G. F. EDMONSTONE, Esq., Secretary to the Government of India, Foreign Department, to C. G. MANSEL, Esq., Commissioner of Nagpore.

I have received, and have laid before the Most Noble the Governor-General in Council, your letter No. 10, dated the 29th April last, in which you acknowledge the receipt on the 12th March of the orders of the Government of India, dated the 7th idem, directing that the State of Nagpur should be declared a portion of the British Empire in India.

2. In this letter (which though dated the 29th April did not reach the Presidency until the 20th ultimo) you report, for the first time since the 14th December last, the state of public feeling and of public affairs at Nagpore; you intimate that you have made known the decision of the Government of India to the family of the late Raja, to the Court, the Army, and all concerned; and thereafter you suggest the various measures which you consider necessary and expedient for the future administration of the province.

3. After giving his anxious consideration to the several subjects discussed in your despatch, and the various proposition submitted by you, His Lordship in Council desires me to communicate the following observations and instructions.

4. It is very satisfactory to the Governor-General in Council to learn that the announcement of the termination of the Nagpore Raj and of the transfer of that Territory to the sovereignty of the British Crown, has been received in complete tranquillity, and that the feeling evinced by the soldiery, the followers of the Bhonslah family, the Gond tribe, and the Dependent Chiefs, affords no ground for anxiety or apprehension. You state that in your opinion the "Raja's Irregular troops are more than equal to preserving perfect national tranquillity," and that "on their fidelity to the existing state of things" you can confidently rely.

5. Public tranquillity being thus secure, you proceed to propose the several arrangements which you consider requisite for the future management of the country: these it appears to His Lordship in Council may most conveniently be separately discussed and disposed of under the following heads:—

- I.—Civil Establishment and Administration.
- II.—Military Force.
- III.—Principles of Civil Administration.
- IV.—The Bhonslah Family.
- V.—Grants of land to religious institutions and persons.
- VI.—Family retainers, courtiers, &c.
- VII.—Household servants.
- VIII.—Old Civil Establishments.
- IX.—Military Pensions.
- X.—General measures of improvement.

And on each of these subjects I am desired to convey to you the views and the resolutions of His Lordship in Council.

1.—Civil Establishment and Administration.

6. You propose that the Civil Establishment shall consist of—

- 1 Commissioner, with a Personal Assistant or Aide-de-Camp, and a Military Assistant, who shall also be Inspector of Local Battalions,
- 5 Superintendents,
- 8 Assistants, and
- 9 Extra-Assistants.

The general form of this Establishment is considered by the Governor-General in Council to be unexceptionable, but it would be more convenient, and in accordance with the general course pursued by the Government, that the designations of the several officers should correspond, as closely as possible with those of officers holding similar offices in other Provinces and it has been accordingly determined by His Lordship in Council that the designation of "Superintendents" shall now be dropped, and that the officers in charge of districts shall be called Deputy Commissioners, as in the Punjab, Pegu and Berar.

7. In regard to the number of these officers that may be required, and the salaries to be assigned to them, I am desired to observe that on the first point no just conclusion can be formed upon a comparison of the area, revenue or population of Nagpore with those of other Provinces. But adverting to the great extent of the new Province, to its natural features and to be weighty fact that, in the economical administration of Mr. Jenkins, experience showed the necessity for five District officers in the territory of Nagpore, the Governor-General in Council is pleased to resolve that at the outset there shall be five Deputy Commissioners.

On the second point you propose that three officers of this class shall receive Rs. 1,500, two Rs. 1,200 and one Rs. 1,000 per mensem; that of the eight Assistants three shall have salaries of Rs. 700, two of Rs. 600 and three of Rs. 500 per mensem; and that the Extra-Assistants shall be provided with proportionately higher salaries than have been usually allowed, for the special reasons given in the 19th paragraph of your letter.

This question, His Lordship in Council conceives, should be determined partly by reference to the rate of salaries in the neighbouring Provinces, and partly on the principle of holding out inducements to exertion by giving a prospect of promotion to the officers employed.

In Berar, the adjoining Province, the general salary of a Deputy Commissioner is Rs. 1,200 per mensem; wherefore, and in order that the Government may at the present moment command the services of experienced officers it has been resolved that, instead of having a majority of the Deputy Commissioners on salaries of Rs. 1,500 per mensem, there shall be two on that salary.

two on Rs. 1,200 and one on Rs. 1,000; and that for similar reasons, two of the Assistants shall belong to the 1st class and shall receive Rs. 700 per mensem, and three to the 2nd with salaries of Rs. 600 per mensem, and three to the 3rd class with Rs. 500 per mensem.

The scale of salaries which you have proposed for the Extra-Assistants is approved. The Governor-General in Council concurs with you in thinking that in order to provide for some of the best officers of the Mahratta rule, it may be well to make some of these offices comparatively lucrative; but the intention of detaching such Native officers to distant stations where European officers would usually be located (which furnishes you with a second reason, for the same measure) should not, if that be avoidable, be acted upon.

8. The limits of the several districts will be judiciously and advantageously retained as they are, for the present at least.

9. In reference to your proposals regarding the constitution of the Commissioner's office and the appointment of a Personal Assistant or "Aide-de-Camp" and a Military Assistant, I am desirous to remark that an "Aide-de-Camp" cannot be allowed, as being incompatible with the rank and position of a Commissioner, and that a Personal Assistant being appointed there will be no necessity for a Military Assistant besides: moreover the Governor-General in Council entirely objects to the footing on which you propose to place that officer and to the powers with which you would wish him to be entrusted.

10. Although the Military and Police Force which you suggest does not exceed 3,500 men, you ask for a Military Assistant with a salary much larger than the Military Secretary to the Chief Commissioner in the Punjab, where the Force numbers about 13,000 men, and larger even than that assigned to the Deputy Secretary to the Government of India in the Military Department. The functions which you propose to give to this officer would confer upon him *practically* the powers of a Brigadier, while the plan would vest the direct control over the organization, discipline, and detail of the Troops in the Civil Commissioner for whom he would act. This measure would in the judgment of His Lordship in Council be as objectionable as it is unusual, and it cannot be assented to; but there are certain matters connected with a Military Force which usually come before the Civil authorities, and in Nagpur would be referable to you, and therefore an Assistant having knowledge of Military details may be requisite. The Government has consequently determined that in preference to the two officers proposed by you, there shall be but one Assistant, who shall be a Military man, versed in Civil duties also, on a salary of Rs 800 per mensem, but who shall exercise none of the functions proposed to be assigned to the Commissioner's Military Assistant.

11.—Military Force.

11. You propose that the Local Military Force shall consist of—

- 3 Rissalahs of Police Cavalry, 900 strong, without European officers.

3 Local Infantry Battalions, each 800 strong, with European officers.

2 Guns to be attached to each Battalion of Infantry.

And you represent that "as an act of expediency, as well as consideration for a large body of well disposed and indeed loyal troops, it is very desirable that our new system should absorb a good portion of the Raja's Army."

12. As regards the strength of the Local Force and the quarter from which some of its numbers are to be drawn, the Governor-General in Council entirely concurs with you; but he does not concur in the mode in which you propose to carry out the details of the plan. His Lordship considers that if there are to be any Irregular Troops at all in Nagpur, they should be organized on the system already found so efficient elsewhere, and that each Regiment should have some European Officers attached to it.

13. It has accordingly been resolved by the Governor-General in Council that the Local Force in Nagpur shall consist of 3 Battalions of Infantry, each 800 strong, and of eight Companies of one Regiment of Irregular Cavalry, 400 strong, and one Horse Field Battery of 100 men, whereby guns at outposts may be manned, if necessary, while at Head-quarters the Battery is kept complete in guns and of adequate numerical strength. A force thus constituted will employ, as is so "desirable," those accustomed to Military service it will be a perfectly reliable force, and in time of war it will admit of the Kamptee Brigade being withdrawn for service elsewhere.

14. In addition to these troops, and for the purpose of giving employment to the high Military officers lately in the Raja's service, the Governor-General in Council considers it expedient that five Rissalahs of Horse, each to be commanded by some one of those officers, should be embodied, and being distributed among the five Districts, should be directly under the authority of the Deputy Commissioners in whose Districts they may be respectively serving. Lest however the designation of "Police Horse" should affix a lower character to the Command, and so should defeat the object in view of providing suitable and honorable employment to the high Military Officers of the Raja, it is advisable, and it has been so determined, that these Rissalahs shall be called after the name of the Commandant, as "Jeurin Sing's Rissalah," "Soodh Sing's Rissalah," and so on. By this device, the Government, it appears to His Lordship in Council, will secure an effective body of Irregular Troops under the Command of European officers, and also find separate employment for connexions of the Raja's family and others, who prefer, and are entitled to expect, a separate position.

15. You have been above informed of the opinion entertained by the Governor-General in Council that European officers should be attached to each Regiment. But advertng to the paucity of available officers, to the little probability of the Force being frequently called into active service (widely differing in that respect from the Punjab Irregular Force) and having regard also to the facility of supplying deficiencies temporarily from the Kamptee

Brigade, His Lordship in Council considers that two officers to each Infantry Battalion, a Commandant and an Adjutant may be made to suffice. To the Battery of Artillery one European officer will be attached, and the Cavalry Regiment will be provided with a Commandant and Adjutant, the former of whom will also be appointed "Commandant of the Nagpur Irregular Force," and will, for that further duty, receive some additional allowance, the amount of which may be left for determination hereafter. To this officer may, it seems to His Lordship in Council, be properly entrusted the task of superintending the organization of the whole Force, and after its formation he will be invested with the Command of it, occupying in relation to the Commissioner the same position as the Brigadier of the Punjab Irregular Force occupies in relation to the Chief Commissioner, and holding the Command of the Cavalry Corps besides.

16. Your proposal that an Assistant Surgeon should be attached to each Corps has the concurrence of the Governor-General in Council, and as four new Medical appointments will thus be created, and as the Medical Establishment in the three Presidencies is unequal to the demands made upon it already, the Honourable the Court of Directors will be solicited to add four Medical officers to the Establishment either of Bengal or Madras for the purpose indicated.

17. I am desired further to inform you that the pay of the officers and men composing the "Nagpur Irregular Force" will be fixed on the same scale as that which prevails in the Punjab Irregular Force.

18. The Kamptee Brigade, to which you refer specially in the 24th paragraph of your report, will be retained for the present. Its numerical details may be changed after the Irregular Force shall have been organized. But though there is no present intention of removing the Brigade in question, the Government must decline to bind itself by any definite pledge.

19. In connection with the subject of the Military management you propose to destroy all the Forts in the "Khalsa or revenue paying country" of Nagpore, and to disarm the people. The Governor-General in Council considers that it will be a very proper precaution to dismantle the Forts not required by or convenient for the Government at particular points, but, as at present advised, His Lordship cannot recognize the necessity of disarming the people. This measure in the Punjab was undoubtedly an excellent and most effectual one, for the people in that Province were warlike in character, hostile in feeling, well provided with arms, and fully disposed to use them; but you describe the population of Nagpore in very different terms; in your 24th paragraph, you say that the "population is of a motley race, and of character simple and peaceable, requiring little but a centralized force for its control," and elsewhere you declare your conviction that "the number of arms possessed by the people of all classes will prove wonderfully small." Under this view His Lordship in Council cannot but regard the disarming of the people as uncalled for, and he requests that you will abstain from giving effect to your expressed (page 28) intention of forming a "Register of arms."

20. The subject which next calls for the consideration and orders of the Governor-General in Council is:—

III.—The principles of Civil Administration.

You have been already informed in my predecessor's despatch, dated the 7th March last, that the general system which existed in the time of Mr. Jenkins, was to be "the ground-work of our future administration in Nagpore."

It remains for His Lordship in Council to notice the specific propositions on this head, and to furnish you with the requisite instructions on each.

21. On the subject of the administration of Civil Justice it is your opinion that the Rules in force in the Punjab "will answer very well for that department at present:" in Nagpore these rules correspond, in many essential particulars, with those which were followed under Mr. Jenkins' administration, and they may, therefore, the Governor-General in Council observes, be introduced with the greater advantage. The powers both of original and appellate jurisdiction to be exercised by the Deputy Commissioners in Nagpore, will be identical with those appertaining to the officers of that class in the Punjab. It will be incumbent upon them to hear and decide in their own Courts all original suits in which the value of the property litigated may exceed Rs. 5,000, referring, at their discretion, all cases of smaller amount either to the Assistants or Extra-Assistants. The Kumaishdars under Mr. Jenkins' Rules had jurisdiction in cases not exceeding Rs. 300, which is also the limit of a Tehsildar's judicial competency in the Punjab: the position of the two classes of officials, in other respects is similar, and the rules of practice therefore, by which the latter are guided in the preparation and decision of Civil suits may very conveniently be extended to the Kumaishdars in the Province of Nagpore.

22. It is possible that some slight modifications may be rendered necessary by the omission of the grade of Commissioner between the District officer and the Chief local authority, and any representations that you may desire to submit on this point will receive the attention of the Governor-General in Council. But the system having as a whole succeeded so well in the districts beyond the Jumna, it appears to His Lordship in Council inadvisable to create an entirely different system, and to lay down different limits of jurisdiction for the officers in Nagpore. I am desired, therefore, to enclose for convenient reference copies of the Rules which have been prescribed for the guidance of Tehsildars in the Punjab; and of a Code of Procedure which has been more recently framed by the Judicial Commissioner of that Province, and will in its spirit be put in force there.

23. You propose that "Mr. Jenkins' system in the Criminal Department shall be maintained for a time." That system was based upon "the general provisions of the Criminal Code in Bengal which in the absence of any defined practice were adopted as the rule of punishment for all offences, where they were applicable, and not inconsistent with the ideas and prejudices of the people."

It would thus seem that the system introduced by Mr. Jenkins in Nagpore is almost identical with that which has been followed in the Punjab, the spirit of the Criminal Regulations having been observed in this latter Province, while the forms and technicalities of the Law not absolutely essential have been avoided. There is a difference between two systems however in respect of the powers exercised by the subordinate officers, both European and Native. The Kumaishdars under Mr. Jenkins could not "carry into effect, without the specific authority of the Superintendent, a sentence exceeding imprisonment for three days, a fine of ten Rupees or a corporal punishment of fifteen stripes; while the Superintendents, though they had authority to try all crimes, could not inflict a sentence extending to imprisonment for two years, until confirmed by the Resident." In the Punjab, the Tehsildars who are considered qualified are vested with larger powers set forth in the accompanying copy of Rules, and the Deputy Commissioners exercise all the authority that is entrusted by the Regulations of Government to the Magistrates of Bengal and the North-West Provinces.

24. The Governor-General in Council adverting to the absence of an officer intermediate between the Deputy Commissioner and the Chief Local authority, and the onerous duties that will devolve upon the latter in organizing and supervising the administration, considers that it will be advisable to remove the restrictions which as above stated were enforced in Mr. Jenkins' time, and to assimilate as a general rule the Criminal powers of the Kumaishdars and Deputy Commissioners in Nagpore to those of the Tahsildars and Deputy Commissioners in the Punjab, it being understood that the jurisdiction of any of these latter officers may be extended, on the ground of special qualification, to crimes, punishable under Mr. Jenkins' system with sentence extending to seven years' imprisonment—see page 286 of Mr. Jenkins' printed Report.

24-A. The Governor-General in Council is not prepared to encourage your proposal for dispensing with appeals "in Criminal cases except under a point of Law," and for restricting the authority of the Appellate Court, in Civil cases, to a remand of the case appealed for retrial. Among the officers to be employed in the administration of the country, there must be some of limited judicial knowledge and experience, and His Lordship conceives that it would be inexpedient to entrust to these the power of passing an irreversible sentence; it may be doubted, too, whether any such prohibition of appeals would not be practically inoperative, so long as a power were reserved to the Chief Local authority, as it must be, of interfering *proprio motu* for the purpose of remedying justice or undue severity.

Neither does it appear to His Lordship in Council advisable that the power of the Appellate Court in a civil case should be confined to the returning of it to the Lower Court for retrial, for the tendency of such a restriction would be to aggravate the admitted evils of "delay and perpetual rehearing of cases," and to multiply appeals. It is preferable in His Lordship in Council's judgment that the right of appeal should not be circumscribed by any such new rule as you propose, but that, as in the Punjab, and in Nagpore also, under the administration of Mr. Jenkins, the privilege of appeal to the Chief Local authority from orders passed both in Civil and Criminal cases by the District officers should be maintained.

25. It is only necessary to add further on the subject of Criminal Justice that you will be empowered to pass final sentence, extending to imprisonment or transportation for life, in all cases of crimes for which such sentence is allowable under Mr. Jenkins' rules. Sentences of death must be submitted, together with translation of the record, for the confirmation of the Governor-General in Council.

26. Your proposal that the Commissioner shall be permitted to try Criminal cases on the record and the report of the District officer "whenever circuit cannot be made," is approved by His Lordship in Council, who has reason to know that the plan has been found of great practical utility and benefit in expediting the course of Justice, and abridging the labours of the Controlling officers in the Punjab.

27. Your report contains very limited information on Revenue matters, and the system of revenue management which you may think it desirable to introduce is not described. You have probably reserved any recommendations that you may have to submit on these subjects, until you shall have had the opportunity of acquiring a more complete knowledge of the existing state of tenures and rights in the soil, and the agricultural usages of the people. The Governor-General in Council deems it sufficient, therefore, on the present occasion, to inform you that, as a general measure, a summary settlement of the Land Revenue should be made for the next three years, and that, during its currency, the Deputy Commissioners should direct their enquiries to the system of village management prevailing in the different sections of the country, and should be required, within a reasonable period, to submit their opinions as to the practicability and expediency of hereafter effecting a regular settlement and survey upon the principles which have been elsewhere acted upon with advantage alike to the Government and the people.

28. In your 59th paragraph you suggest that the Commissioner should be allowed to submit an estimate of ordinary and extraordinary expenditure and to incur any expenses within that limit, subject only to audit, and you urge this project on the ground that the fear of disapproval "acts to repress the submission of single applications," adding, as an illustration, that you would have lately despatched an officer to meet Major Cotton's survey, but felt a hesitation in giving travelling allowance.

I am instructed by the Governor-General in Council to observe that your hesitation was not justified by your experience of the proceedings of the Government of India, and that in the case described there would have been no risk whatever of your acts being disallowed. This illustration does not in any way strengthen your argument in favour of the plan proposed, and His Lordship in Council cannot give his assent to it, seeing that, were you allowed, as you desire, to submit "an estimate of all *ordinary and extraordinary expenditure*" and to exercise a full discretion within the limit of that estimate, the whole revenue of Nagpur would, as it seems to His Lordship in Council, be placed beyond the control of the Supreme Government in each year.

IV.—Bhonsla Family.

29. In the 31st and following paragraphs of your report you submit your views as to the measures which should be adopted by the Government of India in relation to the family of the deceased Raja. You conclude an elaborate disquisition upon the principles of reconciling the past with the future in at change of Government from Oriental to European, by recommending the creation of a " Titular Principality " in Nagpore, and you advise that the titular Rajah shall have a hereditary title, a hereditary estate, and a hereditary income to the extent of $\frac{1}{6}$ of the revenue of the Province.

30. It is, I am desired to state, with no small surprise and dissatisfaction that the Governor-General in Council has received this proposal. The principle which should regulate the policy of the Government of India towards the Native Princes of India is a question of the highest moment; you would not only have been fully justified, but would have followed the natural and proper course, if, as *Resident* at Nagpore, you had brought that principle pointedly under the consideration of the Governor-General in Council at the time of the Rajah's death, or within a reasonable period after that event, and it would have been of great advantage to the Government that you should freely and frankly have stated your own opinions upon the subject. The principle was one which called for the gravest and the most mature deliberation upon the part of the Government, and you might have been assured that any circumstances or arguments that you could contribute would receive the anxious and the earnest consideration of His Lordship in Council.

31. But the Government of India having, in the exercise of its conscientious judgment, pronounced a formal decision upon the principle by which it was considered that its conduct ought to be guided in the case of the principality of Nagpore, and having moreover officially informed you, as *Resident*, that it had " resolved," that that principality " should become a portion of the British territories in India." The Governor-General in Council must consider that you acted injudiciously in straight way proposing, as Commissioner of the newly annexed province, that a principality should be revived in Nagpore, and that a Rajah with hereditary title, income and estate should be created there. The Governor-General in Council cannot conceal his surprise that in full personal knowledge of the sentiments of the Supreme Government, you should now advocate a policy diametrically opposed to be declared views of the Government; nor can his Lordship in Council refrain from giving expression to the dissatisfaction with which he regards your adoption of a course which (perfectly well surmised as it will have been by the Bhonsla Family, and its dependents) will unquestionably have persuaded them that the declared decision of the Government of India was not final, and will have encouraged hopes, the ultimate disappointment of which can only serve to aggravate the mortification they have already suffered.

32. But to revert to the proposal itself, which had called forth this expression of the surprise and dissatisfaction of the Governor-General in Council. You recommend it on the ground that " the Indian native looks up

“to a monarchical and aristocratical form of life, that its ceremonies and state
 “are an object of amusement and interest to all, old and young, and that all
 “that part of happiness of the world which is produced by the gratification of
 “the senses is largely maintained by the existence of a court, its pageantry, its
 “expenditure, and its communications with the people.” To reasons so weak,
 and arguments so untenable as these, the Governor-General in Council cannot
 surrender the judgment, which has been deliberately formed, and formally
 announced to you, that the principality of Nagpore shall become a portion of
 the British Empire in India: all experience, moreover, I am desired to add, is
 opposed to the execution of any such measure as that which you have most
 inopportunately forced on the consideration of the Government. Instances are
 not wanting to show the permanent evils which the system of creating titular
 Nawabs and Rajahs introduces: the King of Delhi, the Nawab Nazim of
 Bengal, the Nawab of the Carnatic, and many others, are so many examples of
 its impolicy. In all these cases, however, some purpose of great temporary
 expediency was served, or believed to be served, when the arrangement was
 originally made; some actual difficulty was got over by the arrangement, and
 above all the Chiefs in question were existing things before the arrangement.
 In all, therefore, there were grounds of policy to go upon which may have
 been good grounds. But in this case there is no object of even temporary
 expediency to serve, there is no actual difficulty of any sort to be got over, and
 there is no one purpose, political or other, which can be promoted by the measure
 that you advocate.

33. The Governor-General in Council having thus decided that your
 proposal to create a titular principality in Nagpore is incompatible with the
 recent decision of the Government of India regarding that province and
 inadmissible in itself, desires me now to advert to your suggestions regarding
 a provision for the connexions of the Bhonsla Family.

34. In dealing with this question I am desired to remark, it must always
 be borne in mind, that there is now, properly speaking, no Bhonsla Family at all.
 There is no male heir existing of Raghojee Bhonsla, there is no male of the
 name of Bhonsla in life, far or near, collateral or direct. Those *connected* with
 the Bhonsla Family, who do exist, are all the progeny of daughters of that house,
 and, consequently, are all members of other families which do not bear the name
 of “Bhonsla.”

34. (a) The provision which you suggest consists in stipends of—

Rs. 1,20,000 to the Baka Bae,

„ 60,000 to the eldest Ranee,

„ 40,000 to each of the other 4 Ranees,

„ 10,000 to widow of Appa Sahib, and

„ 20,000 to the other ladies of the Zenana, or Rs. 3,30,000 in all.

And besides these stipends you advise that the treasure and jewels, the
 estimated value of both which amounts to from 70 to 95 lakhs of rupees, should
 be left with “the family, to be disposed of by them in such way as may be most
 “agreeable to their feelings and would be generally approved by the Courtiers
 “and the Native Public.”

35. In the despatch of the 7th March last to your address the Government of India required that "liberal provision should be made for the Ranees and the connections of the late Bhonsla Family"; but the concessions which you propose appear to the Governor-General in Council to go beyond what would be approved by the Honorable the Court of Directors, even under the instructions above cited. The case of Satara affords a standard of comparison. In 1848 the Raja of Satara died, and his territories lapsed, as those of Nagpore have now lapsed, to the British Government: the Ranees and the adopted son were allowed to retain jewels and other personal property to the value of 16 lakhs of rupees and landed property worth Rs. 25,000 per annum. Pensions were also granted to the three Ranees of Rs. 45,000, 30,000 and 25,000 respectively, yet, although the Raja of Satara was the head of the Mahratta tribe, of which the Bhonsla, were a recent and subordinate branch, and the Satara family was of much higher rank and dignity than the Bhonsla, and although the provision conceded to the members of the former was less than that which you propose to assign to the latter, the Hon'ble Court, while they declared their desire "to provide liberally" for the family, and their wish that the "ladies should retain jewels, furniture, and other personal property suitable to their rank," still objected that so much property which was "fairly at the disposal of the Government" was greatly in excess of what was required.

36. The Governor-General in Council therefore cannot entertain a doubt that so profuse a provision as that which you recommend would be disapproved by the Hon'ble Court, especially when made in favour of the widows only and in the absence of any adopted child. Neither can his Lordship in Council hesitate to declare that the property, which according to the decision of the Hon'ble Court in an analogous case is "fairly at disposal of the Government," should not be given up to be appropriated and squandered by the Ranees even though it be not alienated from the family. The conclusion at which on these premises the Governor-General in Council has arrived, is that jewels, furniture and other personal property suitable to their rank having been allotted to the Ranees it will be proper to realize the value of the remaining property, and to form the whole of the assets into a fund for the benefit of the Bhonslah Family, under the distinct condition and understanding, however, that the Government will be prepared to make good any sums that may be wanting to afford adequate stipends to its members. In regard to the details of this scheme, and the manner of giving effect to it, instructions will be hereafter communicated to your office.

37. In the meantime the Governor-General in Council has resolved, with advertence to the high rank and consideration of the Baka Rane, and to her former position as Regent of the Kingdom for many years, that a stipend of Rs. 1,20,000 per annum, as proposed by you, shall be assigned to her. For the other ladies connected with the late Bhonslah Family the following allowances appear sufficiently liberal, and are sanctioned, *viz.*,—

	Rs.
To the eldest Rane	... 50,000
To each of the other 4 Ranees	... 25,000
To the widow of Appa Sahib	... 10,000
To the other ladies of the Zenana	... 20,000
Or in the aggregate	... 1,80,000 per annum.

The question of a provision for the illegitimate daughter and the illegitimate grandson of the late Raja, of whom mention is made in the 40th para. of your despatch, you will be pleased to report separately for the consideration of Government.

V.—Grants of lands to religious institutions and persons.

38. Your advise that all grants of this nature, amounting to Rs. 1,65,474 should be upheld to the present incumbents and their "representatives" so long as they observe the conditions of the grants, and that on any failure thereof the grant, whether in land or money, should "lapse to the State for the formation of a fund to be held as a national provision for education and institutions of charity and benevolence."

39. All grants of this character, duly made by a competent authority, and proved to be valid and authentic, will be respected by the Governor-General in Council and will be upheld for the lives of the holders; they will also be continued in perpetuity, whenever it may be clearly established that the grant was intended to be perpetual, subject, as usual, to the condition that the purposes of the grant continue to be fulfilled, and that the conduct of the holders be open to no exception. It will, however, be necessary that all claims to grants of this nature should be carefully scrutinized and registered, and that all those which after such scrutiny it may be thought advisable to admit as entitled to maintenance in perpetuity, should be reported in tabular statements for the consideration and the orders of the Government of India.

40. With reference to your proposal that the funds which may become available in consequence of the lapse of any of these tenures shall "be held as a national provision for education and institutions of charity and benevolence," I am desired to advise you that the Government of India does not need to be reminded of the duty which is incumbent upon it, of providing from the Public Treasury for the objects mentioned. The history of the Government in recent times affords an ample guarantee that the principle of making such provision will not be lost sight of in its future administration of the Nagpore territory, and the Governor-General in Council is persuaded that the annual expenditure of the British Government for such purposes will before long greatly exceed the amount of any fund which may be created by lapses such as you contemplate. Under this view there appears to be no advantage in announcing that such lapses shall be carried to a separate fund instead of returning into the general revenue from which grants for educational and charitable purposes will hereafter be made, each year, in Nagpore, as they are now made, and will hereafter be still more largely made, in other provinces of the British Empire in India.

41. With reference to your 44th paragraph, in which it is stated that the allowance made to the Gond Raja by the Nagpore State has been Nagpore Rs. 1,25,000 per annum, I am desired by the Governor-General in Council to state that this allowance will be upheld in all its integrity without any abatement or reservation of any kind whatever.

VI.—Family Retainers, Courtiers, Chief Civil Ministers, &c.

42. Under this head are comprehended grants, whether in land or money, to the relatives of the family, the followers of the State, Courtiers and others, and they amount to about Nagpore Rs. 4,35,000 per annum. In regard to these you propose generally that grants should be upheld for the lives of the incumbents, and that those grants, which have now been held for two lives, should be maintained for two generations more, and you desire to be allowed to announce that this course will be followed in anticipation of the revision of the allowances in question.

You have justly remarked that the mode in which Nagpore fell into our hands has absolved the Government of India from the necessity of enforcing those measures of proper severity, by the confiscation of the property of offenders, which a due regard for its own security has imposed upon it in other circumstances. In Nagpore devolves upon the Government the easier and the more acceptable duty of showing its respect for existing rights, by confirming and maintaining all grants, for which due authority can be produced and established.

43. In dealing, therefore, with these grants, the best and the simplest rule to follow appears to the Governor-General in Council to be that which has been acted upon in the Punjab, and I am desired accordingly to convey to you the resolution of the Government:—

- (1) That all grants of land or money shall be confirmed to the holder for life, if the authority of the grantor and the authenticity of the grant shall be established by proof.
- (2) That all grants, whether in land or money conferred for service done, and intended by the grantor to be for the life of the grantee, shall be maintained for the life of the holder.
- (3) That all grants conditional on a service to be done, shall be resumed, if the service is no longer required by the Government.
- (4) That grants may be continued to the legitimate male issue of the holder for a certain number of lives, or "in perpetuity, either in virtue of prescriptive possession, or of the grantor's authority, or on special considerations of family influence and antiquity, or of individual character and service." (Punjab Report, page 320.)

44. The Governor-General in Council desires me to state that he cannot comprehend the principle on which you proceed in proposing that a grant already held for two lives shall be prolonged for two more. And in laying down the foregoing general rules for your guidance in dealing with claims of this class, His Lordship in Council requests that no such general declaration as you wish to make in anticipation of a readjustment of these grants and allowances shall be promulgated. Every grant of land or of money following under this head is, you will distinctly understand, to be made the subject of separate investigation, and is to be reported, in the tabular forms with which you are familiar, for the orders of the Government of India.

VII.—Household Servants.

45. "This head," you state, "comprises all the Khasgi or Court and household establishment, the miscellaneous Silladars or personal followers and the Khas Rissalah, a sort of Dismounted Palace guard," and it comprehends according to your estimate about 6,000 persons, who draw in the aggregate 3½ lakhs of Nagpore rupees. Of this large body, 1,672 are classified—

359 being persons who have been in the Raja's service for generations,
 187 for life,
 309 for more than 30 years,
 426 from 20 to 30 years, and
 391 for less than 20 years.

The sums which you propose to allot to this class,—2 lakhs in pension and 4 lakhs in gratuities,—appear to the Governor-General in Council to be very large; no calculations are given in your report, no principle for the regulation of these pensions or gratuities is declared, and nothing can be more vague than your proposals on this head. In the absence therefore of any thing which should advise a different course of procedure from that which has been followed in a similar case, His Lordship in Council has resolved that the same scale of pensions and gratuities shall be adopted in Nagpore as in the Punjab, that is to say, that—

service from 25 to 30 years shall entitle the party to $\frac{1}{4}$ of his emolument as pension,

"	"	30 to 35	"	"	"	$\frac{1}{3}$	"	"
"	"	35 to 40 and upwards	"	"	"	$\frac{1}{2}$	"	"

and that the persons falling into this class who may not have served long enough for pension according to the foregoing shall receive gratuities of like amount with those which were granted to parties who had done faithful service in the Punjab, *viz*:—

For 7 years and under 15 years' service 3 months' pay.

"	15	"	"	20	"	6	"
"	20	"	"	25	"	9	"

46. I am directed to add that all cases under this head also must be reported for the orders of the Government, and that the first step to be taken is to request the Ranees to select such of the servants as they desire to retain in their own households. These will, of course, receive neither pension nor gratuity while they are so retained.

VIII.—Old Civil Establishments.

47. You state that many "old servants" on this establishment will be "cast upon the world" and "will be not too well cared for by a pensionary allowance of a lakh of rupees and gratuities amounting to four (4) lakhs."

These sums, it appears to the Governor-General in Council, are very large, and, as observed above, no regulating principle either of pension or gratuity is proposed.

You will be pleased to regard it as a primary object that as many as possible of these men should be retained in their employments, those who are found absolutely inefficient being allowed to retire on pensions or gratuities, calculated on the scale set forth in the 45th paragraph of this despatch.

IX.—Military Pensions.

48. The Raja's army according to your statement in paragraph 46 of your report consists in round numbers of—

880 Officers.

1,900 Troopers, inclusive of Horse Artillery men.

500 Sepoys.

You calculate that $\frac{1}{3}$ of the officers, $\frac{1}{3}$ of the troopers, and half of the sepoy may be re-enlisted, and with reference to these figures you propose to "assign two lakhs in pensions and four lakhs for provision by two years' gratuity." You subsequently speak of the aggregate expenditure amounting to two lakhs in pensions and eight lakhs in gratuities and further on you allude to the possible necessity of even further charges. I am desired by the Governor-General in Council to remark that these contemplated charges are excessively heavy and that the necessity for incurring them is more than doubtful.

49. In a former part of this despatch you have been informed of His Lordship in Council's concurrence in your opinion that it is on every ground expedient to "absorb a good portion of the Raja's army" in our own force: he concurs not less fully in your wish that, in organizing that force "as few as possible of the old soldiers who are really not unfit for service should be rejected." It being assumed that these views will be acted upon, it is difficult to see how so large a number as you contemplate will remain for pension and gratuity. There would seem to be some error in your statement regarding the number of officers, for 880 of these could give one officer to every five men—and on this point some explanation is required. With respect to the men, as there are only 1,900 troopers, and the Government proposes, as you yourself advise, to give employment to 1,000, the Governor-General cannot understand why you should contemplate the necessity of pensioning 1,230; and as there are but 2,500 sepoy, and the Government, in concurrence with your proposals, is prepared to employ 2,400, His Lordship can still less perceive why you should calculate on there being 1,250 for pension among the Infantry.

50. However this may be, the *rates* casually proposed, appear to the Governor-General in Council to be too high, and a gratuity of two years' pay is quite uncalled for, especially as it is understood that the troops are entitled to considerable arrears. There is reason also to hope that the *numbers* for pension and gratuity will, under a considerate and liberal system of

re-enlistment, be much smaller than you contemplate. Those pensions and gratuities which are found to be actually necessary, should be fixed on the general scale laid down in the 45th paragraph of this despatch, any special cases being submitted for separate consideration.

51. In regard to the proposal contained in the 48th paragraph of your report, to the effect that "no pension or gratuity granted under these orders shall be tangible by a decree of Court," I am desired by the Governor-General in Council to remark that there does not appear to be any necessity for a special order; the same general rule, which prevails throughout the Civil and Military services, and which exempts pensions from attachment in satisfaction of decrees of Courts, may very properly be observed in Nagpore; but His Lordship cannot concur with you in thinking that the like protection should be extended to gratuities. Grasping as the system of loans may be, the Government has no right to debar the creditor from all hold over the property of his debtor among the soldiers at Nagpore, and therefore the Governor-General in Council cannot consent to the exemption proposed, as regards gratuities.

X.—General measures of improvement.

52. It will be convenient under this head to notice your proposals for—

- (1) The establishment of a Court of Insolvency at Nagpore;
- (2) The introduction of stamps;
- (3) The establishment of a new department of Accounts, the principle of which is that there shall be no accounts in English except at the Sadar Station of Nagpore;
- (4) The preparation of a Code of Civil and Criminal law for Nagpore;
- (5) Creating private property in land;
- (6) For the establishment of educational institutions;
- (7) Appropriation of 50 lakhs to Public Works;
- (8) The introduction of great sanitary improvements in the city of Nagpore; and lastly
- (9) For the grant of an allowance of Rs. 1,500 per month to the Commissioner, for the purpose of "ministering to the pleasures and gratifications of all classes."

These may be, for the most part, very briefly disposed of. In the opinion of the Governor-General in Council, there cannot be the smallest necessity for creating a Court of Insolvency at Nagpore within the first months after annexation, even if such a measure should be called for at all, of which, with advertence to the absence of such Courts in Bengal and the North-Western Provinces, reasonable doubts may be entertained.

Stamps may be introduced in the same manner, and under the same rules, as in the Punjab.

To your proposal for the introduction of a new system of accounts by which the keeping of them in English would be confined to the Suddar station of Nagpore, the Governor-General in Council objects that this would be a change wholly at variance with the movement which the Government has lately been making in the matter of Departmental accounts with such great and immediate benefit, and though it has the high authority of the late Mr. Thomason in favour of it, His Lordship does not consider it expedient that the experiment should be tried for the first time at Nagpore at the present moment.

In regard to the 4th point, the preparation, namely, of "a Code of law, Civil and Criminal," I am directed to observe that the performance of such a task would be, in the apprehension of His Lordship in Council, altogether incompatible with the discharge of the immediate duties which must press heavily at all times upon the Commissioner of a Province, and that there is the less need of your undertaking it, as Codes of Civil and Criminal Procedure and a general body of Criminal law are now in preparation by the Legislature, and are likely soon to be promulgated. The general measure in progress will obviate all necessity for a special measure of the same nature for the Province of Nagpore.

With reference to the four following proposals the Governor-General in Council is pleased to remark that the adoption of a policy for the creation of private property is a very general question which does not call for immediate action in Nagpore and that though the establishment of Educational institutions, the prosecution of large measure of public improvement, the commencement of a Geological Survey, and the drainage, etc., of the City of Nagpore are all measures of high value and importance, it would be premature to attempt to make provision for them all at the present moment. The examination of the Godavery and the Wardha, on which you lay much stress, was ordered long before your letter under acknowledgment was received.

The last of the several proposals above enumerated is that you may be allowed to charge a sum not exceeding Rs. 1,500 per month "for the entertainment of the European and Native Public, for charity, Khilluts, extra Establishments, and, generally, for supplying that gap in ministering to the pleasure and gratification of all classes, that the death of the late Raja has made at Nagpore"; and you urge this application on the ground that "the sudden lapse of the throne, and the habit of the people of looking for everything in the way of amusement, etc. to the Government or its representative, will place within the range of the Commissioner many opportunities and necessities for incurring Darbar expenses." The definition of Ordinary Durbar Charges, necessarily incurred by every high officer in the Provinces, is well understood, and they will, of course, be passed in the usual manner at Nagpore. And as by the annexation of the country, the Chief Local Authority is placed at the head both of the European and of the Native community, which was not the case in the days of the Residency, the Governor-General in Council is prepared to add a sumptuary allowance to his salary, although as he cannot recognize it to be the duty of a Government to expend the public revenues in "ministering to the pleasure and gratification of all classes." His

Lordship cannot consent to the allotment of so large a sum as you purpose. The Commissioner at Nagpore will accordingly receive a sumptuary allowance, which shall make up his salary to Rs. 60,000 per annum, the ordinary salary being 50,000 rupees.

53. In a preceding part of this despatch you have been made acquainted with the rejection by the Most Noble the Governor-General in Council of your suggestion for the submission of an Annual Estimate of Ordinary and Extraordinary Expenditure and the exercise on your part of a full discretion within that limit. His Lordship in Council is compelled also to disallow the application submitted in your 60th paragraph for further powers to settle "the pay of the Troops, the discharge of Pensionary allowances, the paying up of the old Establishments, and the payment of temporary provincial new ones." Of these disbursements the Pensions and Gratuities alone amount to nearly 50 lakhs of rupees; having regard to this fact, as well as to the exceedingly loose calculations and vague rules on which you have proceeded in your recommendations of the grants to be made, the Governor-General in Council does not deem it expedient to entrust to you the unusual discretionary power for which you have asked under this head also.

The second application contained in this paragraph of your report for authority, namely, "to pay a gratuity of 3 months' wages to parties discharged" among minor and miscellaneous classes is sanctioned.

54. There is yet another specific suggestion in your report, which I am directed by the Governor-General in Council to notice in this place. You suggest (paragraph 57) "the employment of one European officer over the Police Force of the City and suburbs, if not of the whole District of the Nagpore Superintendent."

So far from objecting to this proposal the Governor-General in Council is inclined to extend it, and with a view to obtain uniformity of system, to place the whole Police of the Nagpore State, including the five detached Rissalahs of Horse, under one of the five Deputy Commissioners, and to assign to him an additional allowance of Rs. 500 a month for the performance of this duty.

53. But His Lordship cannot refrain from noticing with reprehension your requirements in connection with this office and the fresh demand for unusual authority which these requirements imply. For working a simple and, as it seems to His Lordship, by no means a novel principle of internal administration, you require as essential that the European officer in charge shall be appointed by the Local Authority, and shall look to its approval as his title to office, for, you say, if an *Officer is to come from the Presidency* "for the discharge of this duty; *with a letter of appointment in his pocket*," the success of the scheme will become more than doubtful. This is a very novel pretension, wholly at variance with the existing system of the public administration in India, and neither justified by the practical working of the present mode of selection, nor recommended by the mode of selection which you would substitute for it.

56. All European officers, both Civil and Military, employed in the Provinces under the direct administration of the Government of India, have been always selected by the Governor-General in Council. The selection is a most difficult, anxious and irksome duty. His Lordship has never lost sight of the heavy responsibility which the discharge of this duty involves, and he has therefore constantly consulted the authorities in charge on the appointment of the local officers, without, however, surrendering the right of the Government of India to select the constituent parts of the local administration. Bad selections occasionally have been made, but the error as soon as discovered has been corrected, and the Governor-General in Council feels himself entitled to affirm with confidence that the general result of the appointments made, as well in the Punjab (with which you yourself were long connected) as elsewhere in the Provinces and Departments under the direct administration of the Government of India, has been such as to deprive you of all warrant for the unjustifiable anticipation which you have now thought proper to express, that, if an officer shall "come from the Presidency with a letter of appointment in his pocket" to manage the Nagpore Police, it is "quite a chance if the scheme will succeed." Such, however, is your recorded conviction regarding the Superintendent of Police, and it may be concluded that your views on this point are not restricted to any particular office, but that in regard to appointments generally you hold it to be essential that you should have full influence in selecting persons to fill them, and in promoting their future fortunes.

57. It is quite impossible, I am desired to state, for the Governor-General in Council to give way to this pretension or to admit the principle on which it seems to be founded. The Governor-General in Council is directly responsible for the good government of Nagpore, and there, as elsewhere, he cannot surrender the right of appointing the agency, by which the orders of the Government are to be executed, and by which its policy is to be carried into effect. Under any circumstances His Lordship in Council would consider it his duty to retain this function in the hands of the Government of India, feeling satisfied that the Government would discharge it with fidelity and efficiency, and certainly this resolution is not shaken by the revelation made in the 72nd paragraph of your report, of the mode in which, if the choice were left to you, some at least of the officers required for the Civil administration of the Province of Nagpore would be selected. You there state that, as "a complement" to the subsidiary Force, you desire to allot to qualified Officers attached to it "one half of the junior appointments to the Commission." In reference to this suggestion, I am directed by the Governor-General in Council to remark that officers appointed by the Government of India are much more likely, from the care and the circumspection exercised in their selection from the whole services, to prove efficient Civil servants than gentlemen who might be thus nominated by you from the small Kamptee Brigade merely as a complement to the Force to which they belong.

58. Having thus communicated to you the observations and instructions of the Most Noble the Governor-General in Council upon the several matters submitted for his consideration in your report, I am instructed to add that it is not His Lordship's intention that any steps should be taken towards the

organization of the Civil and the Military Establishments required for the administration of Nagpore until the pleasure of the Honourable the Court of Directors in regard to the resolution of the Government of India for the annexation of the Province to the British Territories in India shall be known. No long time can elapse before the orders of the Honourable Court are received, and meanwhile there will be no difficulty. His Lordship apprehends, in carrying on the administration and preserving the tranquillity of the country with means that are already at your disposal.

59. It is with real regret that the Governor-General in Council has felt himself compelled to comment unfavourably upon many of your views and proceedings, as they are set forth in this report, and it is with still greater regret that he now deems it his duty to consider whether the delicate and difficult duty of conducting the administration of a territory, having "an area larger than England and Wales united and a population of nearly five millions" can be satisfactorily committed to your hands.

60. You have commenced your local administration, I am directed to observe, by advocating the revival of a policy, which the Government of India, after much deliberation, had just set aside, on a footing which would involve the alienation of $\frac{1}{4}$ th of the revenues of the Province, and the tenor of your report convinces the Government that the same sentiments which led you to propose this policy, will pervade the whole spirit of your administration. The financial measures which you have proposed are indefinite in their principles and profuse in their character.

You claim not only in respect of immediate expenditure, but in the direction of the future established financial system of Nagpore, a discretionary power, wholly unknown in other provinces and you distinctly intimate your expectation that the nomination of local officers shall rest with you, and that they shall look to you alone, and to your approval, for their "title to office." In short, your report undisguisedly shows your object to be, that the whole direction of the affairs of Nagpore shall be vested in the local agency and that all authority and influence there shall be vested in yourself.

61. Under no circumstances could the Supreme Government consent to render itself a cypher by its own act, and to surrender all substantial authority into the hands of the Commissioner of the Province. But the Government is naturally still more disinclined to resign its proper authority into your hands, when it finds that the extraordinary withholding of all report of passing events and of your own proceedings, which has marked your conduct since the death of the Raja, has not been casual, but that it has been pursued systematically since your appointment as Resident at the Raja's Court, and that you have wholly ignored the Government of India for a period of two years, during which period, as now appears for the first time, you were carrying on the important and agitating communications with the Sovereign to whom you were accredited.

62. The Raja of Nagpore died on the 11th December 1833. On the 14th December you reported fully upon the event, and its possible effects and consequences; but from that day until the 29th April notwithstanding that on the

7th March you had been informed that Nagpore was to become a portion of the British Empire, and had been required to report "with the least possible delay" the outline of the arrangements which you would propose for establishing the local administration, not a single despatch was addressed by you to the Government of India on the state of public affairs at Nagpore, or on the progress of events in the Province. For two months you neglected even to acknowledge the despatch of the 7th March. Naturally and reasonably displeased by this neglect, the Governor-General in Council has nevertheless shown forbearance and His Lordship might even now content himself with an expression of His displeasure, were there any reason to hope that this objectionable practice of silence and neglect would be abandoned. But it has incidentally come to light in the letter under acknowledgment that the practice is habitual on your part, and that it has been adhered to under circumstances which show that the Government cannot rely upon being kept informed by you hereafter of affairs of importance which may be passing in Nagpore, or count upon being able to exercise a due control over the administration of that Province.

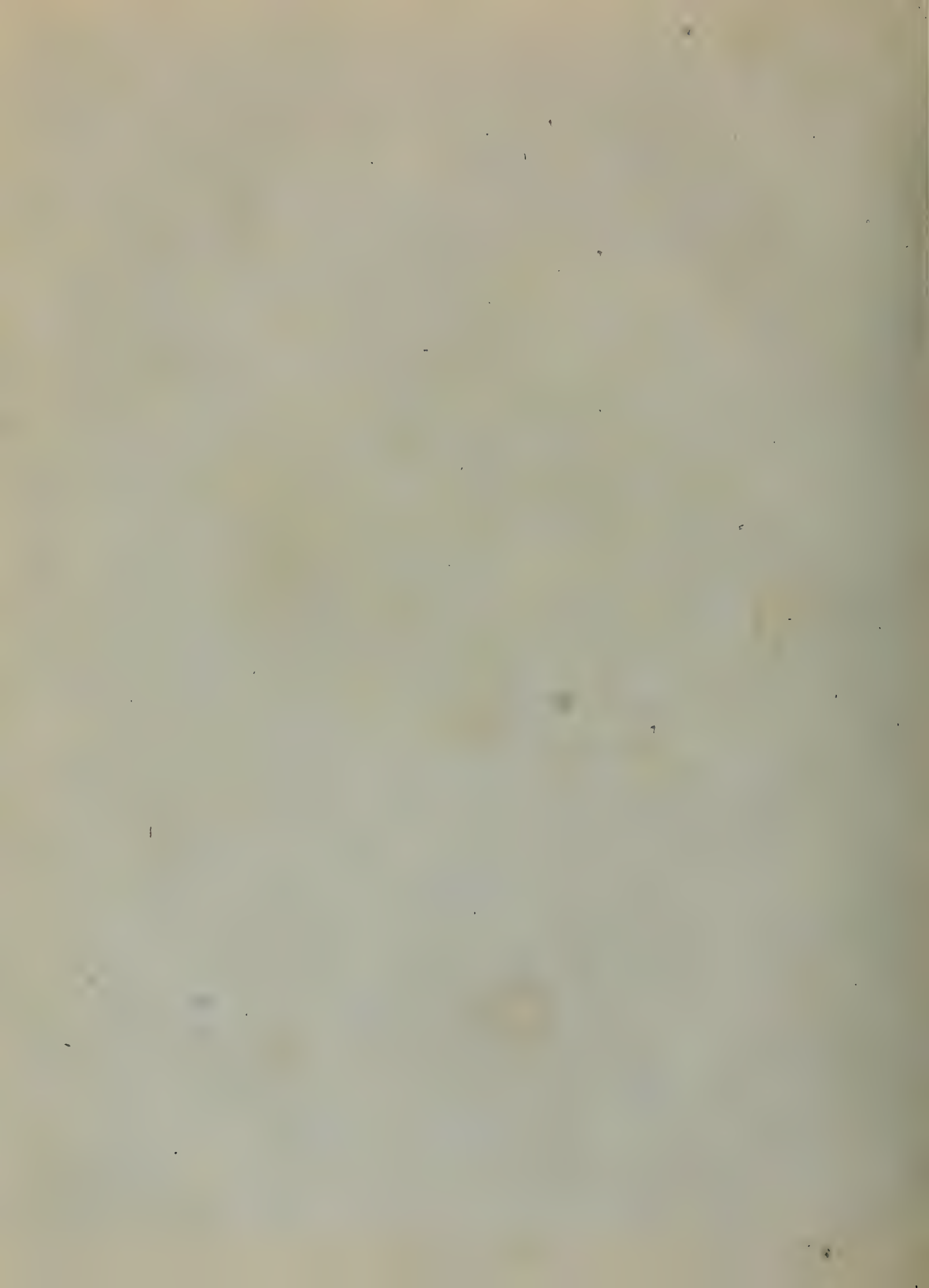
63. This is apparent, the Governor-General in Council observes, from the last paragraph of your letter, in which you solicit pensions to the amount of Rupees 15,000 per annum, in addition, to their salaries for three native subordinates, as a reward for their services in furthering your "endeavours to restore a healthy tone to the administration of the country" during your "two years' charge as Resident."

The large amount of the stipends proposed for these subordinate agents would naturally have led to the inference that the affairs in which they were employed by their principal were of great importance, and this also is the conclusion which would have been deduced from other passages of your letter, in one of which you speak of your "long and weary task" in trying to "*give a new character to the Nagpore administration,*" and in another describe your proceedings as "a struggle for principles as demanded from the Raja by the Resident." But a full impression of the gravity and magnitude of the transactions, in which you engaged yourself, is conveyed only in that passage of your report (page 35) where the startling announcement is made, that "in the struggle which latterly ensued between the Resident and the Raja, *his end was undoubtedly hastened by vexation* at the Resident's insisting on his carrying out the reform in spirit as well as to the letter."

64. The Governor-General in Council thus learns, with some thing more than astonishment, that, although, as now appears, you were engaged for two years before the death of the Raja in the "long and weary task" of trying "to give a new character to the Nagpur administration," and although you were carrying on during that period (to use your own words) "a struggle for principles as demanded from the Raja," and were so urging reform upon the Raja that "his end was undoubtedly hastened by vexation" arising from your urgency, yet no communication whatever was made by you to the Government of India on the subject of these transactions during the two years of your incumbency as Resident.

65. Having regard then to the peculiarity of your views, duly weighing the disposition which you have evinced to require for yourself a latitude in the exercise of your local authority, neither conceded to nor claimed by, any other officer, and an influence and power in the constitution and conduct of the local agency which would virtually supercede the control of the Supreme Government over the Province of Nagpore; and having further and especial regard to the official system which, as it now appears, you have habitually pursued, of not only neglecting all regular and usual correspondence with the Supreme Government on matters under your charge, but of entirely withholding communications even on public affairs of moment in which you have been engaged, the Most Noble the Governor-General in Council feels that he can no longer place confidence in your administration of affairs at Nagpore, and that the public interests require that you should be transferred to some other charge.

66. You will readily believe that it is painful to the Governor-General in Council to record this opinion of a public officer, whose personal character claims his respect, and who is actuated, without doubt, by the best intentions and the purest motives. But it is the duty of the Supreme Government to provide, as far as may be possible, that every public duty shall be entrusted to those who profess aptitude for the particular task. The Governor-General in Council cannot feel that you have the aptitude to which he refers, for the peculiar charge in which unexpected events have quite accidentally placed you, and His Lordship has accordingly resolved, in the discharge of a paramount duty, that the Local Administration of the Nagpore Province shall be placed in other hands. You will be relieved of your charge as soon as circumstances may permit, and in any arrangements which may be made in pursuance of this resolution, your claims to consideration will not be overlooked by the Most Noble the Governor-General in Council.



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